

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE REVISION BILL NO. 1

## 101ST GENERAL ASSEMBLY

0854H.02P

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To repeal sections 32.088, 67.5125, 99.1205, 103.175, 103.178, 104.403, 104.404, 105.721, 130.034, 135.313, 135.710, 135.750, 135.980, 136.450, 143.173, 143.1008, 143.1009, 143.1013, 143.1014, 143.1017, 160.405, 160.500, 161.825, 161.1055, 163.024, 171.034, 172.287, 173.236, 173.680, 173.2510, 178.697, 184.384, 190.450, 191.425, 191.743, 191.950, 192.926, 199.020, 208.053, 208.169, 208.244, 208.627, 210.154, 210.1030, 215.263, 217.147, 260.900, 260.905, 260.910, 260.915, 260.920, 260.925, 260.930, 260.935, 260.940, 260.945, 260.950, 260.955, 260.960, 260.965, 288.501, 319.140, 320.093, 332.304, 334.153, 338.320, 393.1073, 414.407, 454.433, 454.470, 454.490, 454.849, 476.1000, 488.426, 559.117, 620.570, 620.1910, 620.2100, 630.717, 633.420, 640.030, and 660.512, RSMo, and section 167.910 as enacted by house bill no. 1606, ninety-ninth general assembly, second regular session and section 167.910 as enacted by house bill no. 1415, ninety-ninth general assembly, second regular session, and to enact in lieu thereof fifteen new sections for the sole purpose of repealing expired, terminated, sunset, and obsolete statutes.

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

Section A. Sections 32.088, 67.5125, 99.1205, 103.175, 103.178, 104.403, 104.404,  
2 105.721, 130.034, 135.313, 135.710, 135.750, 135.980, 136.450, 143.173, 143.1008, 143.1009,  
3 143.1013, 143.1014, 143.1017, 160.405, 160.500, 161.825, 161.1055, 163.024, 171.034,  
4 172.287, 173.236, 173.680, 173.2510, 178.697, 184.384, 190.450, 191.425, 191.743, 191.950,  
5 192.926, 199.020, 208.053, 208.169, 208.244, 208.627, 210.154, 210.1030, 215.263, 217.147,  
6 260.900, 260.905, 260.910, 260.915, 260.920, 260.925, 260.930, 260.935, 260.940, 260.945,  
7 260.950, 260.955, 260.960, 260.965, 288.501, 319.140, 320.093, 332.304, 334.153, 338.320,

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.

8 393.1073, 414.407, 454.433, 454.470, 454.490, 454.849, 476.1000, 488.426, 559.117, 620.570,  
9 620.1910, 620.2100, 630.717, 633.420, 640.030, and 660.512, RSMo, and section 167.910 as  
10 enacted by house bill no. 1606, ninety-ninth general assembly, second regular session and section  
11 167.910 as enacted by house bill no. 1415, ninety-ninth general assembly, second regular session,  
12 are repealed and fifteen new sections enacted in lieu thereof, to be known as sections 105.721,  
13 130.034, 160.405, 160.500, 173.2510, 178.697, 208.244, 332.304, 414.407, 454.433, 454.470,  
14 454.490, 488.426, 620.570, and 630.717, to read as follows:

105.721. 1. The commissioner of administration may, in his discretion, direct that any  
2 or all of the moneys appropriated to the state legal expense fund be expended to procure one or  
3 more policies of insurance to insure against all or any portion of the potential liabilities of the  
4 state of Missouri or its agencies, officers, and employees.

5 2. Until July 1, 1996, the commissioner of administration may procure one or more  
6 policies of insurance or reinsurance to insure against all potential losses from liabilities incurred  
7 by the state legal expense fund under paragraphs (d) and (e) of subdivision (3) of subsection 2  
8 of section 105.711. ~~[On or before January 1, 1996, the commissioner of administration shall  
9 prepare and distribute a report regarding the cost effectiveness of insuring against potential losses  
10 to the state under paragraphs (d) and (e) of subdivision (3) of subsection 2 of section 105.711,  
11 by the direct purchase of an insurance policy or policies as compared to self-insuring against  
12 such losses through appropriations to the state legal expense fund under section 105.711. The  
13 report shall be submitted to the governor, the speaker of the house of representatives, the  
14 president pro tempore of the senate, and upon request to any member of the general assembly.]~~

15 3. After consultation with the state courts administrator, the commissioner of  
16 administration shall procure such surety bonds as are required by statute and such surety bonds  
17 as he deems necessary to protect the state against loss from the acts or omissions of any person  
18 within the judiciary that receives compensation from the state. No other bond for such person  
19 shall be required for the protection of the state. A copy of any bond procured pursuant to this  
20 section shall be filed with the secretary of state.

21 EXPLANATION: The report required under subsection 2 of this section was due by 1-01-1996.  
22

130.034. 1. Contributions as defined in section 130.011, received by any committee  
2 shall not be converted to any personal use.

3 2. Contributions may be used for any purpose allowed by law including, but not limited  
4 to:

5 (1) Any ordinary expenses incurred relating to a campaign;

6 (2) Any ordinary and necessary expenses incurred in connection with the duties of a  
7 holder of elective office;

8 (3) Any expenses associated with the duties of candidacy or of elective office pertaining  
9 to the entertaining of or providing social courtesies to constituents, professional associations, or  
10 other holders of elective office;

11 (4) The return of any contribution to the person who made the contribution to the  
12 candidate or holder of elective office;

13 (5) To contribute to a political organization or candidate committee as allowed by law;

14 (6) To establish a new committee as defined by this chapter;

15 (7) To make an unconditional gift which is fully vested to any charitable, fraternal or  
16 civic organizations or other associations formed to provide for some good in the order of  
17 benevolence, if such candidate, former candidate or holder of elective office or such person's  
18 immediate family gain no direct financial benefit from the unconditional gift[;

19 ~~————(8) Except when such candidate, former candidate or holder of elective office dies while  
20 the committee remains in existence, the committee may make an unconditional gift to a fund  
21 established for the benefit of the spouse and children of the candidate, former candidate or holder  
22 of elective office. The provisions of this subdivision shall expire October 1, 1997].~~

23 3. Upon the death of the candidate, former candidate or holder of elective office who  
24 received such contributions, all contributions shall be disposed of according to this section and  
25 any funds remaining after final settlement of the candidate's decedent's estate, or if no estate is  
26 opened, then twelve months after the candidate's death, will escheat to the state of Missouri to  
27 be deposited in the general revenue fund.

28 4. No contributions, as defined in section 130.011, received by a candidate, former  
29 candidate or holder of elective office shall be used to make restitution payments ordered of such  
30 individual by a court of law or for the payment of any fine resulting from conviction of a  
31 violation of any local, state or federal law.

32 5. Committees described in subdivision (17) of section 130.011 shall make expenditures  
33 only for the purpose of determining whether an individual will be a candidate. Such  
34 expenditures include polling information, mailings, personal appearances, telephone expenses,  
35 office and travel expenses but may not include contributions to other candidate committees.

36 6. Any moneys in the exploratory committee fund may be transferred to the candidate  
37 committee upon declaration of candidacy for the position being explored. Such funds shall be  
38 included for the purposes of reporting and limitation. In the event that candidacy is not declared  
39 for the position being explored, the remaining exploratory committee funds shall be returned to  
40 the contributors on a pro rata basis. In no event shall the amount returned exceed the amount  
41 given by each contributor nor be less than ten dollars.

42 7. Funds held in candidate committees, campaign committees, debt service committees,  
43 and exploratory committees shall be liquid such that these funds shall be readily available for the

44 specific and limited purposes allowed by law. These funds may be invested only in short-term  
45 treasury instruments or short-term bank certificates with durations of one year or less, or that  
46 allow the removal of funds at any time without any additional financial penalty other than the  
47 loss of interest income. Continuing committees, political party committees, and other  
48 committees such as out-of-state committees not formed for the benefit of any single candidate  
49 or ballot issue shall not be subject to the provisions of this subsection. This subsection shall not  
50 be interpreted to restrict the placement of funds in an interest-bearing checking account.

51 EXPLANATION: Subdivision (8) of subsection 2 of this section expired 10-01-1997.

52

160.405. 1. A person, group or organization seeking to establish a charter school shall  
2 submit the proposed charter, as provided in this section, to a sponsor. If the sponsor is not a  
3 school board, the applicant shall give a copy of its application to the school board of the district  
4 in which the charter school is to be located and to the state board of education, within five  
5 business days of the date the application is filed with the proposed sponsor. The school board  
6 may file objections with the proposed sponsor, and, if a charter is granted, the school board may  
7 file objections with the state board of education. The charter shall include a legally binding  
8 performance contract that describes the obligations and responsibilities of the school and the  
9 sponsor as outlined in sections 160.400 to 160.425 and section 167.349 and shall address the  
10 following:

11 (1) A mission and vision statement for the charter school;

12 (2) A description of the charter school's organizational structure and bylaws of the  
13 governing body, which will be responsible for the policy, financial management, and operational  
14 decisions of the charter school, including the nature and extent of parental, professional educator,  
15 and community involvement in the governance and operation of the charter school;

16 (3) A financial plan for the first three years of operation of the charter school including  
17 provisions for annual audits;

18 (4) A description of the charter school's policy for securing personnel services, its  
19 personnel policies, personnel qualifications, and professional development plan;

20 (5) A description of the grades or ages of students being served;

21 (6) The school's calendar of operation, which shall include at least the equivalent of a  
22 full school term as defined in section 160.011;

23 (7) A description of the charter school's pupil performance standards and academic  
24 program performance standards, which shall meet the requirements of subdivision (6) of  
25 subsection 4 of this section. The charter school program shall be designed to enable each pupil  
26 to achieve such standards and shall contain a complete set of indicators, measures, metrics, and  
27 targets for academic program performance, including specific goals on graduation rates and  
28 standardized test performance and academic growth;

- 29 (8) A description of the charter school's educational program and curriculum;
- 30 (9) The term of the charter, which shall be five years and may be renewed;
- 31 (10) Procedures, consistent with the Missouri financial accounting manual, for  
32 monitoring the financial accountability of the charter, which shall meet the requirements of  
33 subdivision (4) of subsection 4 of this section;
- 34 (11) Preopening requirements for applications that require that charter schools meet all  
35 health, safety, and other legal requirements prior to opening;
- 36 (12) A description of the charter school's policies on student discipline and student  
37 admission, which shall include a statement, where applicable, of the validity of attendance of  
38 students who do not reside in the district but who may be eligible to attend under the terms of  
39 judicial settlements and procedures that ensure admission of students with disabilities in a  
40 nondiscriminatory manner;
- 41 (13) A description of the charter school's grievance procedure for parents or guardians;
- 42 (14) A description of the agreement and time frame for implementation between the  
43 charter school and the sponsor as to when a sponsor shall intervene in a charter school, when a  
44 sponsor shall revoke a charter for failure to comply with subsection 8 of this section, and when  
45 a sponsor will not renew a charter under subsection 9 of this section;
- 46 (15) Procedures to be implemented if the charter school should close, as provided in  
47 subdivision (6) of subsection 16 of section 160.400 including:
- 48 (a) Orderly transition of student records to new schools and archival of student records;
- 49 (b) Archival of business operation and transfer or repository of personnel records;
- 50 (c) Submission of final financial reports;
- 51 (d) Resolution of any remaining financial obligations;
- 52 (e) Disposition of the charter school's assets upon closure; and
- 53 (f) A notification plan to inform parents or guardians of students, the local school  
54 district, the retirement system in which the charter school's employees participate, and the state  
55 board of education within thirty days of the decision to close;
- 56 (16) A description of the special education and related services that shall be available  
57 to meet the needs of students with disabilities; and
- 58 (17) For all new or revised charters, procedures to be used upon closure of the charter  
59 school requiring that unobligated assets of the charter school be returned to the department of  
60 elementary and secondary education for their disposition, which upon receipt of such assets shall  
61 return them to the local school district in which the school was located, the state, or any other  
62 entity to which they would belong.

64 Charter schools operating on August 27, 2012, shall have until August 28, 2015, to meet the  
65 requirements of this subsection.

66 2. Proposed charters shall be subject to the following requirements:

67 (1) A charter shall be submitted to the sponsor, and follow the sponsor's policies and  
68 procedures for review and granting of a charter approval, and be approved by the state board of  
69 education by January thirty-first prior to the school year of the proposed opening date of the  
70 charter school;

71 (2) A charter may be approved when the sponsor determines that the requirements of this  
72 section are met, determines that the applicant is sufficiently qualified to operate a charter school,  
73 and that the proposed charter is consistent with the sponsor's charter sponsorship goals and  
74 capacity. The sponsor's decision of approval or denial shall be made within ninety days of the  
75 filing of the proposed charter;

76 (3) If the charter is denied, the proposed sponsor shall notify the applicant in writing as  
77 to the reasons for its denial and forward a copy to the state board of education within five  
78 business days following the denial;

79 (4) If a proposed charter is denied by a sponsor, the proposed charter may be submitted  
80 to the state board of education, along with the sponsor's written reasons for its denial. If the state  
81 board determines that the applicant meets the requirements of this section, that the applicant is  
82 sufficiently qualified to operate the charter school, and that granting a charter to the applicant  
83 would be likely to provide educational benefit to the children of the district, the state board may  
84 grant a charter and act as sponsor of the charter school. The state board shall review the  
85 proposed charter and make a determination of whether to deny or grant the proposed charter  
86 within sixty days of receipt of the proposed charter, provided that any charter to be considered  
87 by the state board of education under this subdivision shall be submitted no later than March first  
88 prior to the school year in which the charter school intends to begin operations. The state board  
89 of education shall notify the applicant in writing as the reasons for its denial, if applicable; and

90 (5) The sponsor of a charter school shall give priority to charter school applicants that  
91 propose a school oriented to high-risk students and to the reentry of dropouts into the school  
92 system. If a sponsor grants three or more charters, at least one-third of the charters granted by  
93 the sponsor shall be to schools that actively recruit dropouts or high-risk students as their student  
94 body and address the needs of dropouts or high-risk students through their proposed mission,  
95 curriculum, teaching methods, and services. For purposes of this subsection, a "high-risk"  
96 student is one who is at least one year behind in satisfactory completion of course work or  
97 obtaining high school credits for graduation, has dropped out of school, is at risk of dropping out  
98 of school, needs drug and alcohol treatment, has severe behavioral problems, has been suspended  
99 from school three or more times, has a history of severe truancy, is a pregnant or parenting teen,

100 has been referred for enrollment by the judicial system, is exiting incarceration, is a refugee, is  
101 homeless or has been homeless sometime within the preceding six months, has been referred by  
102 an area school district for enrollment in an alternative program, or qualifies as high risk under  
103 department of elementary and secondary education guidelines. Dropout shall be defined through  
104 the guidelines of the school core data report. The provisions of this subsection do not apply to  
105 charters sponsored by the state board of education.

106         3. If a charter is approved by a sponsor, the charter application shall be submitted to the  
107 state board of education, along with a statement of finding by the sponsor that the application  
108 meets the requirements of sections 160.400 to 160.425 and section 167.349 and a monitoring  
109 plan under which the charter sponsor shall evaluate the academic performance, including annual  
110 performance reports, of students enrolled in the charter school. The state board of education  
111 shall approve or deny a charter application within sixty days of receipt of the application. The  
112 state board of education may deny a charter on grounds that the application fails to meet the  
113 requirements of sections 160.400 to 160.425 and section 167.349 or that a charter sponsor  
114 previously failed to meet the statutory responsibilities of a charter sponsor. Any denial of a  
115 charter application made by the state board of education shall be in writing and shall identify the  
116 specific failures of the application to meet the requirements of sections 160.400 to 160.425 and  
117 section 167.349, and the written denial shall be provided within ten business days to the sponsor.

118         4. A charter school shall, as provided in its charter:

119         (1) Be nonsectarian in its programs, admission policies, employment practices, and all  
120 other operations;

121         (2) Comply with laws and regulations of the state, county, or city relating to health,  
122 safety, and state minimum educational standards, as specified by the state board of education,  
123 including the requirements relating to student discipline under sections 160.261, 167.161,  
124 167.164, and 167.171, notification of criminal conduct to law enforcement authorities under  
125 sections 167.115 to 167.117, academic assessment under section 160.518, transmittal of school  
126 records under section 167.020, the minimum amount of school time required under section  
127 171.031, and the employee criminal history background check and the family care safety registry  
128 check under section 168.133;

129         (3) Except as provided in sections 160.400 to 160.425 and as specifically provided in  
130 other sections, be exempt from all laws and rules relating to schools, governing boards and  
131 school districts;

132         (4) Be financially accountable, use practices consistent with the Missouri financial  
133 accounting manual, provide for an annual audit by a certified public accountant, publish audit  
134 reports and annual financial reports as provided in chapter 165, provided that the annual financial  
135 report may be published on the department of elementary and secondary education's internet

136 website in addition to other publishing requirements, and provide liability insurance to indemnify  
137 the school, its board, staff and teachers against tort claims. A charter school that receives local  
138 educational agency status under subsection 6 of this section shall meet the requirements imposed  
139 by the Elementary and Secondary Education Act for audits of such agencies and comply with all  
140 federal audit requirements for charters with local educational agency status. For purposes of an  
141 audit by petition under section 29.230, a charter school shall be treated as a political subdivision  
142 on the same terms and conditions as the school district in which it is located. For the purposes  
143 of securing such insurance, a charter school shall be eligible for the Missouri public entity risk  
144 management fund pursuant to section 537.700. A charter school that incurs debt shall include  
145 a repayment plan in its financial plan;

146 (5) Provide a comprehensive program of instruction for at least one grade or age group  
147 from early childhood through grade twelve, as specified in its charter;

148 (6) (a) Design a method to measure pupil progress toward the pupil academic standards  
149 adopted by the state board of education pursuant to section 160.514, establish baseline student  
150 performance in accordance with the performance contract during the first year of operation,  
151 collect student performance data as defined by the annual performance report throughout the  
152 duration of the charter to annually monitor student academic performance, and to the extent  
153 applicable based upon grade levels offered by the charter school, participate in the statewide  
154 system of assessments, comprised of the essential skills tests and the nationally standardized  
155 norm-referenced achievement tests, as designated by the state board pursuant to section 160.518,  
156 complete and distribute an annual report card as prescribed in section 160.522, which shall also  
157 include a statement that background checks have been completed on the charter school's board  
158 members, and report to its sponsor, the local school district, and the state board of education as  
159 to its teaching methods and any educational innovations and the results thereof. No charter  
160 school shall be considered in the Missouri school improvement program review of the district  
161 in which it is located for the resource or process standards of the program.

162 (b) For proposed high-risk or alternative charter schools, sponsors shall approve  
163 performance measures based on mission, curriculum, teaching methods, and services. Sponsors  
164 shall also approve comprehensive academic and behavioral measures to determine whether  
165 students are meeting performance standards on a different time frame as specified in that school's  
166 charter. Student performance shall be assessed comprehensively to determine whether a  
167 high-risk or alternative charter school has documented adequate student progress. Student  
168 performance shall be based on sponsor-approved comprehensive measures as well as  
169 standardized public school measures. Annual presentation of charter school report card data to  
170 the department of elementary and secondary education, the state board, and the public shall  
171 include comprehensive measures of student progress.



172 (c) Nothing in this subdivision shall be construed as permitting a charter school to be  
173 held to lower performance standards than other public schools within a district; however, the  
174 charter of a charter school may permit students to meet performance standards on a different time  
175 frame as specified in its charter. The performance standards for alternative and special purpose  
176 charter schools that target high-risk students as defined in subdivision (5) of subsection 2 of this  
177 section shall be based on measures defined in the school's performance contract with its  
178 sponsors;

179 (7) Comply with all applicable federal and state laws and regulations regarding students  
180 with disabilities, including sections 162.670 to 162.710, the Individuals with Disabilities  
181 Education Act (20 U.S.C. Section 1400) and Section 504 of the Rehabilitation Act of 1973 (29  
182 U.S.C. Section 794) or successor legislation;

183 (8) Provide along with any request for review by the state board of education the  
184 following:

185 (a) Documentation that the applicant has provided a copy of the application to the school  
186 board of the district in which the charter school is to be located, except in those circumstances  
187 where the school district is the sponsor of the charter school; and

188 (b) A statement outlining the reasons for approval or denial by the sponsor, specifically  
189 addressing the requirements of sections 160.400 to 160.425 and 167.349.

190 5. (1) Proposed or existing high-risk or alternative charter schools may include  
191 alternative arrangements for students to obtain credit for satisfying graduation requirements in  
192 the school's charter application and charter. Alternative arrangements may include, but not be  
193 limited to, credit for off-campus instruction, embedded credit, work experience through an  
194 internship arranged through the school, and independent studies. When the state board of  
195 education approves the charter, any such alternative arrangements shall be approved at such time.

196 (2) The department of elementary and secondary education shall conduct a study of any  
197 charter school granted alternative arrangements for students to obtain credit under this subsection  
198 after three years of operation to assess student performance, graduation rates, educational  
199 outcomes, and entry into the workforce or higher education.

200 6. The charter of a charter school may be amended at the request of the governing body  
201 of the charter school and on the approval of the sponsor. The sponsor and the governing board  
202 and staff of the charter school shall jointly review the school's performance, management and  
203 operations during the first year of operation and then every other year after the most recent  
204 review or at any point where the operation or management of the charter school is changed or  
205 transferred to another entity, either public or private. The governing board of a charter school  
206 may amend the charter, if the sponsor approves such amendment, or the sponsor and the  
207 governing board may reach an agreement in writing to reflect the charter school's decision to

208 become a local educational agency. In such case the sponsor shall give the department of  
209 elementary and secondary education written notice no later than March first of any year, with the  
210 agreement to become effective July first. The department may waive the March first notice date  
211 in its discretion. The department shall identify and furnish a list of its regulations that pertain  
212 to local educational agencies to such schools within thirty days of receiving such notice.

213 7. Sponsors shall annually review the charter school's compliance with statutory  
214 standards including:

215 (1) Participation in the statewide system of assessments, as designated by the state board  
216 of education under section 160.518;

217 (2) Assurances for the completion and distribution of an annual report card as prescribed  
218 in section 160.522;

219 (3) The collection of baseline data during the first three years of operation to determine  
220 the longitudinal success of the charter school;

221 (4) A method to measure pupil progress toward the pupil academic standards adopted  
222 by the state board of education under section 160.514; and

223 (5) Publication of each charter school's annual performance report.

224 8. (1) (a) A sponsor's policies shall give schools clear, adequate, evidence-based, and  
225 timely notice of contract violations or performance deficiencies and mandate intervention based  
226 upon findings of the state board of education of the following:

227 a. The charter school provides a high school program which fails to maintain a  
228 graduation rate of at least seventy percent in three of the last four school years unless the school  
229 has dropout recovery as its mission;

230 b. The charter school's annual performance report results are below the district's annual  
231 performance report results based on the performance standards that are applicable to the grade  
232 level configuration of both the charter school and the district in which the charter school is  
233 located in three of the last four school years; and

234 c. The charter school is identified as a persistently lowest achieving school by the  
235 department of elementary and secondary education.

236 (b) A sponsor shall have a policy to revoke a charter during the charter term if there is:

237 a. Clear evidence of underperformance as demonstrated in the charter school's annual  
238 performance report in three of the last four school years; or

239 b. A violation of the law or the public trust that imperils students or public funds.

240 (c) A sponsor shall revoke a charter or take other appropriate remedial action, which may  
241 include placing the charter school on probationary status for no more than twenty-four months,  
242 provided that no more than one designation of probationary status shall be allowed for the  
243 duration of the charter contract, at any time if the charter school commits a serious breach of one

244 or more provisions of its charter or on any of the following grounds: failure to meet the  
245 performance contract as set forth in its charter, failure to meet generally accepted standards of  
246 fiscal management, failure to provide information necessary to confirm compliance with all  
247 provisions of the charter and sections 160.400 to 160.425 and 167.349 within forty-five days  
248 following receipt of written notice requesting such information, or violation of law.

249 (2) The sponsor may place the charter school on probationary status to allow the  
250 implementation of a remedial plan, which may require a change of methodology, a change in  
251 leadership, or both, after which, if such plan is unsuccessful, the charter may be revoked.

252 (3) At least sixty days before acting to revoke a charter, the sponsor shall notify the  
253 governing board of the charter school of the proposed action in writing. The notice shall state  
254 the grounds for the proposed action. The school's governing board may request in writing a  
255 hearing before the sponsor within two weeks of receiving the notice.

256 (4) The sponsor of a charter school shall establish procedures to conduct administrative  
257 hearings upon determination by the sponsor that grounds exist to revoke a charter. Final  
258 decisions of a sponsor from hearings conducted pursuant to this subsection are subject to an  
259 appeal to the state board of education, which shall determine whether the charter shall be  
260 revoked.

261 (5) A termination shall be effective only at the conclusion of the school year, unless the  
262 sponsor determines that continued operation of the school presents a clear and immediate threat  
263 to the health and safety of the children.

264 (6) A charter sponsor shall make available the school accountability report card  
265 information as provided under section 160.522 and the results of the academic monitoring  
266 required under subsection 3 of this section.

267 9. (1) A sponsor shall take all reasonable steps necessary to confirm that each charter  
268 school sponsored by such sponsor is in material compliance and remains in material compliance  
269 with all material provisions of the charter and sections 160.400 to 160.425 and 167.349. Every  
270 charter school shall provide all information necessary to confirm ongoing compliance with all  
271 provisions of its charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its  
272 sponsor.

273 (2) The sponsor's renewal process of the charter school shall be based on the thorough  
274 analysis of a comprehensive body of objective evidence and consider if:

275 (a) The charter school has maintained results on its annual performance report that meet  
276 or exceed the district in which the charter school is located based on the performance standards  
277 that are applicable to the grade-level configuration of both the charter school and the district in  
278 which the charter school is located in three of the last four school years;

279 (b) The charter school is organizationally and fiscally viable determining at a minimum  
280 that the school does not have:

281 a. A negative balance in its operating funds;

282 b. A combined balance of less than three percent of the amount expended for such funds  
283 during the previous fiscal year; or

284 c. Expenditures that exceed receipts for the most recently completed fiscal year;

285 (c) The charter is in compliance with its legally binding performance contract and  
286 sections 160.400 to 160.425 and section 167.349; and

287 (d) The charter school has an annual performance report consistent with a classification  
288 of accredited for three of the last four years and is fiscally viable as described in paragraph (b)  
289 of this subdivision. If such is the case, the charter school may have an expedited renewal process  
290 as defined by rule of the department of elementary and secondary education.

291 (3) (a) Beginning August first during the year in which a charter is considered for  
292 renewal, a charter school sponsor shall demonstrate to the state board of education that the  
293 charter school is in compliance with federal and state law as provided in sections 160.400 to  
294 160.425 and section 167.349 and the school's performance contract including but not limited to  
295 those requirements specific to academic performance.

296 (b) Along with data reflecting the academic performance standards indicated in  
297 paragraph (a) of this subdivision, the sponsor shall submit a revised charter application to the  
298 state board of education for review.

299 (c) Using the data requested and the revised charter application under paragraphs (a) and  
300 (b) of this subdivision, the state board of education shall determine if compliance with all  
301 standards enumerated in this subdivision has been achieved. The state board of education at its  
302 next regularly scheduled meeting shall vote on the revised charter application.

303 (d) If a charter school sponsor demonstrates the objectives identified in this subdivision,  
304 the state board of education shall renew the school's charter.

305 10. A school district may enter into a lease with a charter school for physical facilities.

306 11. A governing board or a school district employee who has control over personnel  
307 actions shall not take unlawful reprisal against another employee at the school district because  
308 the employee is directly or indirectly involved in an application to establish a charter school. A  
309 governing board or a school district employee shall not take unlawful reprisal against an  
310 educational program of the school or the school district because an application to establish a  
311 charter school proposes the conversion of all or a portion of the educational program to a charter  
312 school. As used in this subsection, "unlawful reprisal" means an action that is taken by a  
313 governing board or a school district employee as a direct result of a lawful application to  
314 establish a charter school and that is adverse to another employee or an educational program.

315 12. Charter school board members shall be subject to the same liability for acts while  
316 in office as if they were regularly and duly elected members of school boards in any other public  
317 school district in this state. The governing board of a charter school may participate, to the same  
318 extent as a school board, in the Missouri public entity risk management fund in the manner  
319 provided under sections 537.700 to 537.756.

320 13. Any entity, either public or private, operating, administering, or otherwise managing  
321 a charter school shall be considered a quasi-public governmental body and subject to the  
322 provisions of sections 610.010 to 610.035.

323 14. The chief financial officer of a charter school shall maintain:

324 (1) A surety bond in an amount determined by the sponsor to be adequate based on the  
325 cash flow of the school; or

326 (2) An insurance policy issued by an insurance company licensed to do business in  
327 Missouri on all employees in the amount of five hundred thousand dollars or more that provides  
328 coverage in the event of employee theft.

329 15. The department of elementary and secondary education shall calculate an annual  
330 performance report for each charter school and shall publish it in the same manner as annual  
331 performance reports are calculated and published for districts and attendance centers.

332 ~~[16. The joint committee on education shall create a committee to investigate facility  
333 access and affordability for charter schools. The committee shall be comprised of equal numbers  
334 of the charter school sector and the public school sector and shall report its findings to the  
335 general assembly by December 31, 2016.]~~

336 EXPLANATION: The report under subsection 16 was due 12-31-2016.

337

160.500. 1. Sections 160.500 to 160.538, sections 160.545 and 160.550, sections  
2 161.099 and 161.610, sections 162.203 and 162.1010, section 163.023, sections 166.275 and  
3 166.300, section 170.254, section 173.750, and sections 178.585 and 178.698 may be cited as  
4 the "Outstanding Schools Act" and includes provisions relating to reduced class size, the A+  
5 schools program, funding for parents as teachers and early childhood development, teacher  
6 training, the upgrading of vocational and technical education, measures to promote accountability  
7 and other provisions of those sections.

8 2. There is hereby established in the state treasury the "Outstanding Schools Trust Fund".  
9 The moneys in the fund shall be available to support only the provisions, reforms and programs  
10 referenced in subsection 1 of this section or otherwise contained in this act. The fund shall  
11 consist of moneys required by law to be credited to such fund and moneys appropriated annually  
12 by the general assembly. Notwithstanding the provisions of section 33.080 to the contrary,  
13 moneys in the fund shall not be transferred to the credit of the general revenue fund at the end

14 of the biennium. All yield, interest, income, increment or gain received from time deposit of  
15 moneys in the state treasury to the credit of the fund shall be credited by the state treasurer to the  
16 fund. Of all refunds made of taxes deposited into the fund, the appropriate percentage of any  
17 refund shall be paid from the fund or deducted from transfers to the fund.

18 3. The commissioner of administration shall estimate and furnish to the state treasurer  
19 the appropriate net increase in the amount of state tax revenues collected and any adjustments  
20 to previous estimates pursuant to this act from the following: the additional one and one-fourth  
21 percent tax on Missouri taxable income collected under ~~[subsection]~~ **subsections 2 and 3** of  
22 section 143.071; and the reduction of the federal income tax deduction pursuant to subsections  
23 3 and 4 of section 143.171, not including any change in tax collections resulting from any  
24 revision of the federal tax code made after January 1, 1993. The treasurer shall transfer monthly  
25 from general revenue an amount equal to the estimate to the outstanding schools trust fund  
26 established in subsection 2 of this section.

27 EXPLANATION: The intersectional reference in subsection 3 of this section became obsolete  
28 due to the statutory changes to section 143.071 in 2018.

29

173.2510. 1. This section shall be known and may be cited as the "15 to Finish Act".

2 2. The coordinating board for higher education, in cooperation with public institutions  
3 of higher education in this state, shall develop policies that promote the on-time completion of  
4 degree programs by students. The policies shall include, but not be limited to:

5 (1) Defining on-time completion for specific levels of postsecondary credentials;

6 (2) Providing financial incentives to students during their senior year of undergraduate  
7 study who are on pace to graduate in no more than eight semesters; and

8 (3) Reducing, when feasible and permitted by accreditation or occupational licensure,  
9 the number of credit hours required to earn a degree.

10 ~~[3. By December 1, 2017, the department of higher education and workforce  
11 development shall provide a report to the governor and the general assembly describing the  
12 actions taken to implement these provisions.]~~

13 EXPLANATION: The report under subsection 3 of this section was due by 12-01-2017.

14

178.697. 1. Funding for sections 178.691 to 178.699 shall be made available pursuant  
2 to section 163.031 and shall be subject to appropriations made for this purpose.

3 2. Costs of contractual arrangements shall be the obligation of the school district of  
4 residence of each preschool child. Costs of contractual arrangements shall not exceed an amount  
5 equal to an amount reimbursable to the school districts under the provisions of sections 178.691  
6 to 178.699.

7           3. Payments for participants for programs outlined in section 178.693 shall be uniform  
8 for all districts or public agencies.

9           ~~[4. Families with children under the age of kindergarten entry shall be eligible to receive  
10 annual development screenings and parents shall be eligible to receive prenatal visits under  
11 sections 178.691 to 178.699. Priority for service delivery of approved parent education programs  
12 under sections 178.691 to 178.699, which includes, but is not limited to, home visits, group  
13 meetings, screenings, and service referrals, shall be given to high-needs families in accordance  
14 with criteria set forth by the department of elementary and secondary education. Local school  
15 districts may establish cost sharing strategies to supplement funding for such program services.  
16 The provisions of this subsection shall expire on December 31, 2015, unless reauthorized by an  
17 act of the general assembly.]~~

18 EXPLANATION: Subsection 4 of this section expired 12-31-2015.

19

          208.244. 1. ~~[Beginning January 1, 2016, the waiver of the work requirement for the  
2 supplemental nutrition assistance program under 7 U.S.C. Section 2015(o) shall no longer apply  
3 to individuals seeking benefits in this state. The provisions of this subsection shall terminate on  
4 January 1, 2019.~~

5           ~~2.]~~ Any ongoing savings resulting from a reduction in state expenditures due to  
6 modification of the supplemental nutrition assistance program under this section or the  
7 temporary assistance for needy families program under sections 208.026 and 208.040 effective  
8 on August 28, 2015, subject to appropriations, shall be used to provide child care assistance for  
9 single parent households, education assistance, transportation assistance, and job training for  
10 individuals receiving benefits under such programs as allowable under applicable state and  
11 federal law.

12           ~~[3.]~~ 2. The department shall make an annual report to the joint committee on government  
13 accountability on the progress of implementation of sections 208.026 and 208.040, including  
14 information on enrollment, demographics, work participation, and changes to specific policies.  
15 The joint committee shall meet at least once a year to review the department's report and shall  
16 make recommendations to the president pro tempore of the senate and the speaker of the house  
17 of representatives.

18 EXPLANATION: Subsection 1 of this section terminated on 1-01-2019.

19

          332.304. The specific duties of the committee shall include the following:

2           (1) Designing a training program for dental hygienists which allows coursework to be  
3 completed off-site from the educational institution, and clinical and didactic training to be  
4 delivered in the office of a dentist licensed under this chapter, if such offsite dental office is a  
5 part of an accredited dental hygiene program through the Commission on Dental Accreditation

6 of the American Dental Association as an extended campus facility or any other facility approved  
7 by the council on dental accreditation;

8 (2) Developing suggestions for the creation of a contract between the department and an  
9 institution of higher education to establish the training program designed under subdivision (1)  
10 of this section;

11 (3) Analyzing issues relating to the curriculum, funding, and administration of the  
12 training program designed under subdivision (1) of this section]; ~~and~~

13 ~~———— (4) On or before November 1, 2005, delivering to both houses of the general assembly~~  
14 ~~and the governor a report on the training program designed under subdivision (1) of this section~~  
15 ~~and any suggestions developed and analysis made under subdivisions (2) and (3) of this section].~~

16 EXPLANATION: The report in subdivision (4) of this section was due 11-01-2005.

17

414.407. 1. As used in this section, the following terms mean:

2 (1) "B-20", a blend of twenty percent by volume biodiesel fuel and eighty percent by  
3 volume petroleum-based diesel fuel;

4 (2) "Biodiesel", fuel as defined in ASTM Standard PS121;

5 (3) "EPAAct", the federal Energy Policy Act, 42 U.S.C. 13201, et seq.;

6 (4) "EPAAct credit", a credit issued pursuant to EPAAct;

7 (5) "Fund", the biodiesel fuel revolving fund;

8 (6) "Incremental cost", the difference in cost between biodiesel fuel and conventional  
9 petroleum-based diesel fuel at the time the biodiesel fuel is purchased.

10 2. The department, in cooperation with the department of agriculture, shall establish and  
11 administer an EPAAct credit banking and selling program to allow state agencies to use moneys  
12 generated by the sale of EPAAct credits to purchase biodiesel fuel for use in state vehicles. Each  
13 state agency shall provide the department with all vehicle fleet information necessary to  
14 determine the number of EPAAct credits generated by the agency. The department may sell  
15 credits in any manner pursuant to the provisions of EPAAct.

16 3. There is hereby created in the state treasury the "Biodiesel Fuel Revolving Fund", into  
17 which shall be deposited moneys received from the sale of EPAAct credits banked by state  
18 agencies on August 28, 2001, and in future reporting years, any moneys appropriated to the fund  
19 by the general assembly, and any other moneys obtained or accepted by the department for  
20 deposit into the fund. The fund shall be managed to maximize benefits to the state in the  
21 purchase of biodiesel fuel and, when possible, to accrue those benefits to state agencies in  
22 proportion to the number of EPAAct credits generated by each respective agency.

23 4. Moneys deposited into the fund shall be used to pay for the incremental cost of  
24 biodiesel fuel with a minimum biodiesel concentration of B-20 for use in state vehicles and for  
25 administration of the fund. Not later than January thirty-first of each year, the department shall



26 submit an annual report to the general assembly on the expenditures from the fund during the  
27 preceding fiscal year.

28 5. Notwithstanding the provisions of section 33.080, no portion of the fund shall be  
29 transferred to the general revenue fund, and any appropriation made to the fund shall not lapse.  
30 The state treasurer shall invest moneys in the fund in the same manner as other funds are  
31 invested. Interest and moneys earned on such investments shall be credited to the fund.

32 6. The department shall promulgate such rules as are necessary to implement this section.  
33 No rule or portion of a rule promulgated pursuant to this section shall become effective unless  
34 it has been promulgated pursuant to chapter 536.

35 ~~[7. The department shall conduct a study of the use of alternative fuels in motor vehicles~~  
36 ~~in the state and shall report its findings and recommendations to the general assembly no later~~  
37 ~~than January 1, 2002. Such study shall include:~~

38 ~~—— (1) An analysis of the current use of alternative fuels in public and private vehicle fleets~~  
39 ~~in the state;~~

40 ~~—— (2) An assessment of methods that the state may use to increase use of alternative fuels~~  
41 ~~in vehicle fleets, including the sale of credits generated pursuant to the federal Energy Policy~~  
42 ~~Act, 42 U.S.C. 13201, et seq., to pay for the difference in cost between alternative fuels and~~  
43 ~~conventional fuels;~~

44 ~~—— (3) An assessment of the benefits or harm that increased use of alternative fuels may~~  
45 ~~make to the state's economy and environment;~~

46 ~~—— (4) Any other information that the department deems relevant.]~~

47 EXPLANATION: The report under subsection 7 of this section was due 1-01-2002.

48

454.433. 1. When a tribunal of another state as defined in section ~~[454.850]~~ **454.1503**  
2 has ordered support payments to a person who has made an assignment of child support rights  
3 to the family support division or who is receiving child support services pursuant to section  
4 454.425, the family support division may notify the court of this state in the county in which the  
5 obligor, obligee or the child resides or works. Until October 1, 1999, upon such notice the circuit  
6 clerk shall accept all support payments and remit such payments to the person or entity entitled  
7 to receive the payments. Effective October 1, 1999, the division shall order the payment center  
8 to accept all support payments and remit such payments to the person or entity entitled to receive  
9 the payments.

10 2. Notwithstanding any provision of law to the contrary, the notification to the court by  
11 the division shall authorize the court to make the clerk trustee. The clerk shall keep an accurate  
12 record of such payments and shall report all collections to the division in the manner specified  
13 by the division. Effective October 1, 1999, the duties of the clerk as trustee pursuant to this

14 section shall terminate and all payments shall be made to the payment center pursuant to section  
15 454.530.

454.470. 1. The director may issue a notice and finding of financial responsibility to a  
2 parent who owes a state debt or who is responsible for the support of a child on whose behalf the  
3 custodian of that child is receiving support enforcement services from the division pursuant to  
4 section 454.425 if a court order has not been previously entered against that parent, a court order  
5 has been previously entered but has been terminated by operation of law or if a support order  
6 from another state has been entered but is not entitled to recognition under sections [~~454.850 to~~  
7 ~~454.997~~] **454.1500 to 454.1728**. Service of the notice and finding shall be made on the parent  
8 or other party in the manner prescribed for service of process in a civil action by an authorized  
9 process server appointed by the director, or by certified mail, return receipt requested. The  
10 director may appoint any uninterested party, including but not limited to employees of the  
11 division, to serve such process. For purposes of this subsection, a parent who refuses receipt of  
12 service by certified mail is deemed to have been served. Service upon an obligee who is  
13 receiving support enforcement services under section 454.425 may be made by regular mail.  
14 When appropriate to the circumstances of the individual action, the notice shall state:

15 (1) The name of the person or agency with custody of the dependent child and the name  
16 of the dependent child for whom support is to be paid;

17 (2) The monthly future support for which the parent shall be responsible;

18 (3) The state debt, if any, accrued and accruing, and the monthly payment to be made on  
19 the state debt which has accrued;

20 (4) A statement of the costs of collection, including attorney's fees, which may be  
21 assessed against the parent;

22 (5) That the parent shall be responsible for providing medical insurance for the  
23 dependent child;

24 (6) That if a parent desires to discuss the amount of support that should be paid, the  
25 parent or person having custody of the child may, within twenty days after being served, contact  
26 the division office which sent the notice and request a negotiation conference. The other parent  
27 or person having custody of the child shall be notified of the negotiated conference and may  
28 participate in the conference. If no agreement is reached on the monthly amount to be paid, the  
29 director may issue a new notice and finding of financial responsibility, which may be sent to the  
30 parent required to pay support by regular mail addressed to the parent's last known address or,  
31 if applicable, the parent's attorney's last known address. A copy of the new notice and finding  
32 shall be sent by regular mail to the other parent or person having custody of the child;

33 (7) That if a parent or person having custody of the child objects to all or any part of the  
34 notice and finding of financial responsibility and no negotiation conference is requested, within

35 twenty days of the date of service the parent or person having custody of the child shall send to  
36 the division office which issued the notice a written response which sets forth any objections and  
37 requests a hearing; and, that if the director issues a new notice and finding of financial  
38 responsibility, the parent or person having custody of the child shall have twenty days from the  
39 date of issuance of the new notice to send a hearing request;

40 (8) That if such a timely response is received by the appropriate division office, and if  
41 such response raises factual questions requiring the submission of evidence, the parent or person  
42 having custody of the child shall have the right to a hearing before an impartial hearing officer  
43 who is an attorney licensed to practice law in Missouri and, that if no timely written response is  
44 received, the director may enter an order in accordance with the notice and finding of financial  
45 responsibility;

46 (9) That the parent has the right to be represented at the hearing by an attorney of the  
47 parent's own choosing;

48 (10) That the parent or person having custody of the child has the right to obtain  
49 evidence and examine witnesses as provided for in chapter 536, together with an explanation of  
50 the procedure the parent or person having custody of the child shall follow in order to exercise  
51 such rights;

52 (11) That as soon as the order is entered, the property of the parent required to pay  
53 support shall be subject to collection actions, including, but not limited to, wage withholding,  
54 garnishment, liens, and execution thereon;

55 (12) A reference to sections 454.460 to 454.510;

56 (13) That the parent is responsible for notifying the division of any change of address  
57 or employment;

58 (14) That if the parent has any questions, the parent should telephone or visit the  
59 appropriate division office or consult an attorney; and

60 (15) Such other information as the director finds appropriate.

61 2. The statement of periodic future support required by subdivision (2) of subsection 1  
62 of this section is to be computed under the guidelines established in subsection 8 of section  
63 452.340.

64 3. Any time limits for notices or requests may be extended by the director, and such  
65 extension shall have no effect on the jurisdiction of the court, administrative body, or other entity  
66 having jurisdiction over the proceedings.

67 4. If a timely written response setting forth objections and requesting a hearing is  
68 received by the appropriate division office, and if such response raises a factual question  
69 requiring the submission of evidence, a hearing shall be held in the manner provided by section

70 454.475. If no timely written response and request for hearing is received by the appropriate  
71 division office, the director may enter an order in accordance with the notice, and shall specify:

72 (1) The amount of periodic support to be paid, with directions on the manner of payment;

73 (2) The amount of state debt, if any, accrued in favor of the department;

74 (3) The monthly payment to be made on state debt, if any;

75 (4) The amount of costs of collection, including attorney's fees, assessed against the  
76 parent;

77 (5) The name of the person or agency with custody of the dependent child and the name  
78 and birth date of the dependent child for whom support is to be paid;

79 (6) That the property of the parent is subject to collection actions, including, but not  
80 limited to, wage withholding, garnishment, liens, and execution thereon; and

81 (7) If appropriate, that the parent shall provide medical insurance for the dependent child,  
82 or shall pay the reasonable and necessary medical expenses of the dependent child.

83 5. The parent or person having custody of the child shall be sent a copy of the order by  
84 regular mail addressed to the parent's last known address or, if applicable, the parent's attorney's  
85 last known address. The order is final, and action by the director to enforce and collect upon the  
86 order, including arrearages, may be taken from the date of issuance of the order.

87 6. Copies of the orders issued pursuant to this section shall be mailed within fourteen  
88 days of the issuance of the order.

89 7. Any parent or person having custody of the child who is aggrieved as a result of any  
90 allegation or issue of fact contained in the notice and finding of financial responsibility shall be  
91 afforded an opportunity for a hearing, upon the request in writing filed with the director not more  
92 than twenty days after service of the notice and finding is made upon such parent or person  
93 having custody of the child, and if in requesting such hearing, the aggrieved parent or person  
94 having custody of the child raises a factual issue requiring the submission of evidence.

95 8. At any time after the issuance of an order under this section, the director may issue  
96 an order vacating that order if it is found that the order was issued without subject matter or  
97 personal jurisdiction or if the order was issued without affording the obligor due process of law.

454.490. 1. A true copy of any order entered by the director pursuant to sections 454.460  
2 to ~~[454.997]~~ **454.1728**, along with a true copy of the return of service, may be filed with the clerk  
3 of the circuit court in the county in which the judgment of dissolution or paternity has been  
4 entered, or if no such judgment was entered, in the county where either the parent or the  
5 dependent child resides or where the support order was filed. Upon filing, the clerk shall enter  
6 the order in the judgment docket. Upon docketing, the order shall have all the force, effect, and  
7 attributes of a docketed order or decree of the circuit court, including, but not limited to, lien  
8 effect and enforceability by supplementary proceedings, contempt of court, execution and

9 garnishment. Any administrative order or decision of the family support division filed in the  
10 office of the circuit clerk of the court shall not be required to be signed by an attorney, as  
11 provided by supreme court rule of civil procedures 55.03(a), or required to have any further  
12 pleading other than the director's order.

13 2. In addition to any other provision to enforce an order docketed pursuant to this section  
14 or any other support order of the court, the court may, upon petition by the division, require that  
15 an obligor who owes past due support to pay support in accordance with a plan approved by the  
16 court, or if the obligor is subject to such plan and is not incapacitated, the court may require the  
17 obligor to participate in work activities.

18 3. In addition to any other provision to enforce an order docketed pursuant to this section  
19 or any other support order of the court, division or other IV-D agency, the director may order that  
20 an obligor who owes past due support to pay support in accordance with a plan approved by the  
21 director, or if the obligor is subject to such plan and is not incapacitated, the director may order  
22 the obligor to participate in work activities. The order of the director shall be filed with a court  
23 pursuant to subsection 1 of this section and shall be enforceable as an order of the court.

24 4. As used in this section, "work activities" include:

25 (1) Unsubsidized employment;

26 (2) Subsidized private sector employment;

27 (3) Subsidized public sector employment;

28 (4) Work experience (including work associated with the refurbishing of publicly  
29 assisted housing) if sufficient private sector employment is not available;

30 (5) On-the-job training;

31 (6) Job search and readiness assistance;

32 (7) Community services programs;

33 (8) Vocational educational training, not to exceed twelve months for any individual;

34 (9) Job skills training directly related to employment;

35 (10) Education directly related to employment for an individual who has not received  
36 a high school diploma or its equivalent;

37 (11) Satisfactory attendance at a secondary school or course of study leading to a  
38 certificate of general equivalence for an individual who has not completed secondary school or  
39 received such a certificate; or

40 (12) The provision of child care services to an individual who is participating in a  
41 community service program.

42 EXPLANATION: Intersectional references in these sections became obsolete with the repeal  
43 of sections 454.850 to 454.997.

44

488.426. 1. The judges of the circuit court, en banc, in any circuit in this state may require any party filing a civil case in the circuit court, at the time of filing the suit, to deposit with the clerk of the court a surcharge in addition to all other deposits required by law or court rule. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are to be paid by the county or state or any city.

2. The surcharge in effect on August 28, 2001, shall remain in effect until changed by the circuit court. The circuit court in any circuit, except the circuit court in Jackson County or the circuit court in any circuit that reimburses the state for the salaries of family court commissioners under and pursuant to section 487.020, may change the fee to any amount not to exceed fifteen dollars. The circuit court in Jackson County or the circuit court in any circuit that reimburses the state for the salaries of family court commissioners under and pursuant to section 487.020 may change the fee to any amount not to exceed twenty dollars. A change in the fee shall become effective and remain in effect until further changed.

3. Sections 488.426 to 488.432 shall not apply to proceedings when costs are waived or are paid by the county or state or any city.

~~[4. In addition to any fee authorized by subsection 1 of this section, any county of the first classification with more than one hundred one thousand but fewer than one hundred fifteen thousand inhabitants may impose an additional fee of ten dollars excluding cases concerning adoption and those in small claims court. The provisions of this subsection shall expire on December 31, 2019.]~~

EXPLANATION: Subsection 4 of this section expired 12-31-2019.

~~620.570. 1. [The Missouri training and employment council, as established in section 620.523, shall review and recommend criteria for evaluating project funding assistance, program criteria, and other requirements and priorities to be used by the division in the evaluation and monitoring of Missouri youth service and conservation corps projects.~~

~~2.]~~ The division shall work with the department of higher education and workforce development, the department of elementary and secondary education, all colleges, universities and lending institutions throughout the state to develop a system of academic credit, tuition grants and deferred loan repayment incentives for young adults who enroll and complete participation in corps programs. The division shall adopt rules under chapter 536 designed to implement any such incentive programs.

~~[3.]~~ 2. The division of workforce development of the department of economic development shall establish and promote the recruitment of "Show-Me Employers" which shall consist of Missouri-based corporations and businesses agreeing to interview, for entry-level jobs, participants successfully completing a youth corps program.

15 [4.] 3. The division of workforce development of the department of economic  
 16 development shall recognize and promote within the labor exchange system the youth service  
 17 corps and the potential benefits of hiring participants who have successfully completed any of  
 18 the corps' programs.

19 EXPLANATION: Subsection 1 of this section became obsolete when the authority for the  
 20 Missouri Training and Employment Council was repealed in 2007.

21

630.717. 1. Any residential facility or day program which provides services exclusively  
 2 to those persons affected by alcohol or drug abuse shall be exempt from licensure rules  
 3 promulgated by the department.

4 2. Any residential facility or day program which offers services, treatment or  
 5 rehabilitation to persons affected by alcohol or drug abuse shall submit to the department a  
 6 description of the services, treatment or rehabilitation which it offers, a statement of whether  
 7 each facility or program is required to meet any fire-safety standards of a municipality, political  
 8 subdivision of the state, and documentation of compliance with such standards, if they apply.

9 3. ~~[The department shall survey all such facilities and programs and shall prepare a~~  
 10 ~~report for submission to the general assembly of actions necessary to bring such facilities and~~  
 11 ~~programs in compliance with fire-safety standards developed by the department for certification.~~  
 12 ~~The report shall be filed with the speaker of the house and the president pro tem of the senate by~~  
 13 ~~January 1, 1983.~~

14 ~~4.]~~ Failure of a facility or program to submit information requested by the department  
 15 and required by this section shall disqualify such facility or program from receiving department  
 16 certification or funding until such information is submitted.

17 EXPLANATION: The report under subsection 3 of this section was due 1-01-1983.

18

~~[32.088. 1. There is hereby created the "Missouri Task Force on Fair,  
 2 Nondiscriminatory Local Taxation Concerning Motor Vehicles, Trailers, Boats,  
 3 and Outboard Motors" to consist of the following members:~~

4 ~~\_\_\_\_\_ (1) The following six members of the general assembly:~~

5 ~~\_\_\_\_\_ (a) Three members of the house of representatives, with no more than~~  
 6 ~~two members from the same political party and each member to be appointed by~~  
 7 ~~the speaker of the house of representatives; and~~

8 ~~\_\_\_\_\_ (b) Three members of the senate, with no more than two members from~~  
 9 ~~the same political party and each member to be appointed by the president pro~~  
 10 ~~tempore of the senate;~~

11 ~~\_\_\_\_\_ (2) The director of the department of revenue or the director's designee;~~

12 ~~\_\_\_\_\_ (3) Two Missouri motor vehicle dealers, with one to be appointed by the~~  
 13 ~~speaker of the house of representatives and one to be appointed by the president~~  
 14 ~~pro tempore of the senate;~~

- 15 ~~————— (4) Two representatives from Missouri county governments, with one to~~  
16 ~~be appointed by the speaker of the house of representatives and one to be~~  
17 ~~appointed by the president pro tempore of the senate;~~
- 18 ~~————— (5) Two representatives from Missouri city governments, with one to be~~  
19 ~~appointed by the speaker of the house of representatives and one to be appointed~~  
20 ~~by the president pro tempore of the senate; and~~
- 21 ~~————— (6) One Missouri marine dealer, to be appointed by the speaker of the~~  
22 ~~house of representatives.~~
- 23 ~~————— 2. The task force shall meet within thirty days after its creation and~~  
24 ~~organize by selecting a chair and a vice chair, one of whom shall be a member of~~  
25 ~~the senate and the other of whom shall be a member of the house of~~  
26 ~~representatives. The chair shall designate a person to keep the records of the task~~  
27 ~~force. A majority of the task force constitutes a quorum and a majority vote of~~  
28 ~~a quorum is required for any action.~~
- 29 ~~————— 3. The task force shall meet at least quarterly. However, the task force~~  
30 ~~shall meet at least monthly during each term of the general assembly. Meetings~~  
31 ~~may be held by telephone or video conference at the discretion of the chair.~~
- 32 ~~————— 4. Members shall serve on the task force without compensation but may,~~  
33 ~~subject to appropriation, be reimbursed for actual and necessary expenses~~  
34 ~~incurred in the performance of their official duties as members of the task force.~~
- 35 ~~————— 5. The goals of the task force shall address:~~
- 36 ~~————— (1) The disparity in taxation that resulted from the Missouri Supreme~~  
37 ~~Court's decision in Street v. Director of Revenue, 361 S.W.3d 355 (Mo. en banc~~  
38 ~~2012), concerning the local taxation of motor vehicles, boats, trailers, and~~  
39 ~~outboard motors if purchased from a source other than a licensed Missouri dealer;~~
- 40 ~~————— (2) The need for local jurisdictions to continue to receive revenue to~~  
41 ~~provide vital services restored by S.B. 23, effective July 5, 2013; and~~
- 42 ~~————— (3) The need to avoid placing Missouri dealers of motor vehicles,~~  
43 ~~outboard motors, boats, and trailers at a competitive disadvantage to~~  
44 ~~non-Missouri dealers of motor vehicles, outboard motors, boats, and trailers.~~
- 45 ~~————— 6. The task force shall:~~
- 46 ~~————— (1) Review evidence regarding the methods to address the goals of the~~  
47 ~~task force;~~
- 48 ~~————— (2) Review the methods used by other states to address the goals of the~~  
49 ~~task force;~~
- 50 ~~————— (3) Review the impact of the disparity of treatment on Missouri dealers;~~  
51 ~~and~~
- 52 ~~————— (4) Develop legislation that will not discriminate against Missouri dealers~~  
53 ~~and will safeguard local revenue to provide vital local services.~~
- 54 ~~————— 7. On or before December 31, 2017, the task force shall submit a report~~  
55 ~~on its findings to the governor and general assembly. The report shall include~~  
56 ~~any dissenting opinions in addition to any majority opinions.~~



57 ~~8. The task force shall expire on January 1, 2018, or upon submission of~~  
 58 ~~a report under subsection 7 of this section, whichever is earlier.]~~

59

60 EXPLANATION: This section expired 1-01-2018.

61

2 ~~[67.5125. By December 31, 2018, the department of revenue shall~~  
 3 ~~prepare and deliver a report to the general assembly on the amount of revenue~~  
 4 ~~collected by local governments for the previous three fiscal years from~~  
 5 ~~communications service providers, as such term is defined in section 67.5111; a~~  
 6 ~~direct-to-home satellite service, as defined in Public Law 104-104, Title VI,~~  
 7 ~~Section 602; and any video service provided through electronic commerce, as~~  
 8 ~~defined in Public Law 105-277, Title XI, as amended, Section 1105(3), from~~  
 9 ~~video fees, linear-foot fees, antenna fees, sales and use taxes, gross receipts taxes,~~  
 10 ~~business license fees, business license taxes, or any other taxes or fees assessed~~  
 11 ~~to such providers.]~~

11

12 EXPLANATION: The report required under this section was due by 12-31-2018;  
 13 no other duties are listed.

14

2 ~~[99.1205. 1. This section shall be known and may be cited as the~~  
 3 ~~"Distressed Areas Land Assemblage Tax Credit Act".~~

4 ~~2. As used in this section, the following terms mean:~~

5 ~~(1) "Acquisition costs", the purchase price for the eligible parcel, costs~~  
 6 ~~of environmental assessments, closing costs, real estate brokerage fees,~~  
 7 ~~reasonable demolition costs of vacant structures, and reasonable maintenance~~  
 8 ~~costs incurred to maintain an acquired eligible parcel for a period of five years~~  
 9 ~~after the acquisition of such eligible parcel. Acquisition costs shall not include~~  
 10 ~~costs for title insurance and survey, attorney's fees, relocation costs, fines, or bills~~  
 11 ~~from a municipality;~~

12 ~~(2) "Applicant", any person, firm, partnership, trust, limited liability~~  
 13 ~~company, or corporation which has:~~

14 ~~(a) Incurred, within an eligible project area, acquisition costs for the~~  
 15 ~~acquisition of land sufficient to satisfy the requirements under subdivision (8) of~~  
 16 ~~this subsection; and~~

17 ~~(b) Been appointed or selected, pursuant to a redevelopment agreement~~  
 18 ~~by a municipal authority, as a redeveloper or similar designation, under an~~  
 19 ~~economic incentive law, to redevelop an urban renewal area or a redevelopment~~  
 20 ~~area that includes all of an eligible project area or whose redevelopment plan or~~  
 21 ~~redevelopment area, which encompasses all of an eligible project area, has been~~  
 22 ~~approved or adopted under an economic incentive law. In addition to being~~  
 23 ~~designated the redeveloper, the applicant shall have been designated to receive~~  
 economic incentives only after the municipal authority has considered the amount

24 ~~of the tax credits in adopting such economic incentives as provided in subsection~~  
25 ~~8 of this section. The redevelopment agreement shall provide that:~~

26 ~~\_\_\_\_\_ a. The funds generated through the use or sale of the tax credits issued~~  
27 ~~under this section shall be used to redevelop the eligible project area;~~

28 ~~\_\_\_\_\_ b. No more than seventy-five percent of the urban renewal area identified~~  
29 ~~in the urban renewal plan or the redevelopment area identified in the~~  
30 ~~redevelopment plan may be redeveloped by the applicant; and~~

31 ~~\_\_\_\_\_ c. The remainder of the urban renewal area or the redevelopment area~~  
32 ~~shall be redeveloped by co-redevelopers or redevelopers to whom the applicant~~  
33 ~~has assigned its redevelopment rights and obligations under the urban renewal~~  
34 ~~plan or the redevelopment plan;~~

35 ~~\_\_\_\_\_ (3) "Certificate", a tax credit certificate issued under this section;~~

36 ~~\_\_\_\_\_ (4) "Condemnation proceedings", any action taken by, or on behalf of,~~  
37 ~~an applicant to initiate an action in a court of competent jurisdiction to use the~~  
38 ~~power of eminent domain to acquire a parcel within the eligible project area.~~  
39 ~~Condemnation proceedings shall include any and all actions taken after the~~  
40 ~~submission of a notice of intended acquisition to an owner of a parcel within the~~  
41 ~~eligible project area by a municipal authority or any other person or entity under~~  
42 ~~section 523.250;~~

43 ~~\_\_\_\_\_ (5) "Department", the Missouri department of economic development;~~

44 ~~\_\_\_\_\_ (6) "Economic incentive laws", any provision of Missouri law pursuant~~  
45 ~~to which economic incentives are provided to redevelopers of a parcel or parcels~~  
46 ~~to redevelop the land, such as tax abatement or payments in lieu of taxes, or~~  
47 ~~redevelopment plans or redevelopment projects approved or adopted which~~  
48 ~~include the use of economic incentives to redevelop the land. Economic~~  
49 ~~incentive laws include, but are not limited to, the land clearance for~~  
50 ~~redevelopment authority law under sections 99.300 to 99.660, the real property~~  
51 ~~tax increment allocation redevelopment act under sections 99.800 to 99.865, the~~  
52 ~~Missouri downtown and rural economic stimulus act under sections 99.915 to~~  
53 ~~99.1060, and the downtown revitalization preservation program under sections~~  
54 ~~99.1080 to 99.1092;~~

55 ~~\_\_\_\_\_ (7) "Eligible parcel", a parcel:~~

56 ~~\_\_\_\_\_ (a) Which is located within an eligible project area;~~

57 ~~\_\_\_\_\_ (b) Which is to be redeveloped;~~

58 ~~\_\_\_\_\_ (c) On which the applicant has not commenced construction prior to~~  
59 ~~November 28, 2007;~~

60 ~~\_\_\_\_\_ (d) Which has been acquired without the commencement of any~~  
61 ~~condemnation proceedings with respect to such parcel brought by or on behalf of~~  
62 ~~the applicant. Any parcel acquired by the applicant from a municipal authority~~  
63 ~~shall not constitute an eligible parcel; and~~

64 ~~\_\_\_\_\_ (e) On which all outstanding taxes, fines, and bills levied by municipal~~  
65 ~~governments that were levied by the municipality during the time period that the~~  
66 ~~applicant held title to the eligible parcel have been paid in full;~~

- 67 ~~————— (8) "Eligible project area", an area which shall have satisfied the~~  
68 ~~following requirements:~~
- 69 ~~————— (a) The eligible project area shall consist of at least seventy-five acres~~  
70 ~~and may include parcels within its boundaries that do not constitute an eligible~~  
71 ~~parcel;~~
- 72 ~~————— (b) At least eighty percent of the eligible project area shall be located~~  
73 ~~within a Missouri qualified census tract area, as designated by the United States~~  
74 ~~Department of Housing and Urban Development under 26 U.S.C. Section 42, or~~  
75 ~~within a distressed community as that term is defined in section 135.530;~~
- 76 ~~————— (c) The eligible parcels acquired by the applicant within the eligible~~  
77 ~~project area shall total at least fifty acres, which may consist of contiguous and~~  
78 ~~noncontiguous parcels;~~
- 79 ~~————— (d) The average number of parcels per acre in an eligible project area~~  
80 ~~shall be four or more;~~
- 81 ~~————— (e) Less than five percent of the acreage within the boundaries of the~~  
82 ~~eligible project area shall consist of owner-occupied residences which the~~  
83 ~~applicant has identified for acquisition under the urban renewal plan or the~~  
84 ~~redevelopment plan pursuant to which the applicant was appointed or selected as~~  
85 ~~the redeveloper or by which the person or entity was qualified as an applicant~~  
86 ~~under this section on the date of the approval or adoption of such plan;~~
- 87 ~~————— (9) "Interest costs", interest, loan fees, and closing costs. Interest costs~~  
88 ~~shall not include attorney's fees;~~
- 89 ~~————— (10) "Maintenance costs", costs of boarding up and securing vacant~~  
90 ~~structures, costs of removing trash, and costs of cutting grass and weeds;~~
- 91 ~~————— (11) "Municipal authority", any city, town, village, county, public body~~  
92 ~~corporate and politic, political subdivision, or land trust of this state established~~  
93 ~~and authorized to own land within the state;~~
- 94 ~~————— (12) "Municipality", any city, town, village, or county;~~
- 95 ~~————— (13) "Parcel", a single lot or tract of land, and the improvements thereon;~~  
96 ~~owned by, or recorded as the property of, one or more persons or entities;~~
- 97 ~~————— (14) "Redeveloped", the process of undertaking and carrying out a~~  
98 ~~redevelopment plan or urban renewal plan pursuant to which the conditions~~  
99 ~~which provided the basis for an eligible project area to be included in a~~  
100 ~~redevelopment plan or urban renewal plan are to be reduced or eliminated by~~  
101 ~~redevelopment or rehabilitation; and~~
- 102 ~~————— (15) "Redevelopment agreement", the redevelopment agreement or~~  
103 ~~similar agreement into which the applicant entered with a municipal authority and~~  
104 ~~which is the agreement for the implementation of the urban renewal plan or~~  
105 ~~redevelopment plan pursuant to which the applicant was appointed or selected as~~  
106 ~~the redeveloper or by which the person or entity was qualified as an applicant~~  
107 ~~under this section; and such appointment or selection shall have been approved~~  
108 ~~by an ordinance of the governing body of the municipality, or municipalities, or~~  
109 ~~in the case of any city not within a county, the board of aldermen, in which the~~

110 eligible project area is located. The redevelopment agreement shall include a  
111 time line for redevelopment of the eligible project area. The redevelopment  
112 agreement shall state that the named developer shall be subject to the provisions  
113 of chapter 290.

114 ~~3. Any applicant shall be entitled to a tax credit against the taxes imposed~~  
115 ~~under chapters 143, 147, and 148, except for sections 143.191 to 143.265, in an~~  
116 ~~amount equal to fifty percent of the acquisition costs, and one hundred percent~~  
117 ~~of the interest costs incurred for a period of five years after the acquisition of an~~  
118 ~~eligible parcel. No tax credits shall be issued under this section until after~~  
119 ~~January 1, 2008.~~

120 ~~4. If the amount of such tax credit exceeds the total tax liability for the~~  
121 ~~year in which the applicant is entitled to receive a tax credit, the amount that~~  
122 ~~exceeds the state tax liability may be carried forward for credit against the taxes~~  
123 ~~imposed under chapters 143, 147, and 148 for the succeeding six years, or until~~  
124 ~~the full credit is used, whichever occurs first. The applicant shall not be entitled~~  
125 ~~to a tax credit for taxes imposed under sections 143.191 to 143.265. Applicants~~  
126 ~~entitled to receive such tax credits may transfer, sell, or assign the tax credits.~~  
127 ~~Tax credits granted to a partnership, a limited liability company taxed as a~~  
128 ~~partnership, or multiple owners of property shall be passed through to the~~  
129 ~~partners, members, or owners respectively pro rata or pursuant to an executed~~  
130 ~~agreement among the partners, members, or owners documenting an alternate~~  
131 ~~distribution method.~~

132 ~~5. A purchaser, transferee, or assignee of the tax credits authorized under~~  
133 ~~this section may use acquired tax credits to offset up to one hundred percent of~~  
134 ~~the tax liabilities otherwise imposed under chapters 143, 147, and 148, except for~~  
135 ~~sections 143.191 to 143.265. A seller, transferor, or assignor shall perfect such~~  
136 ~~transfer by notifying the department in writing within thirty calendar days~~  
137 ~~following the effective date of the transfer and shall provide any information as~~  
138 ~~may be required by the department to administer and carry out the provisions of~~  
139 ~~this section.~~

140 ~~6. To claim tax credits authorized under this section, an applicant shall~~  
141 ~~submit to the department an application for a certificate. An applicant shall~~  
142 ~~identify the boundaries of the eligible project area in the application. The~~  
143 ~~department shall verify that the applicant has submitted a valid application in the~~  
144 ~~form and format required by the department. The department shall verify that the~~  
145 ~~municipal authority held the requisite hearings and gave the requisite notices for~~  
146 ~~such hearings in accordance with the applicable economic incentive act, and~~  
147 ~~municipal ordinances. On an annual basis, an applicant may file for the tax credit~~  
148 ~~for the acquisition costs, and for the tax credit for the interest costs, subject to the~~  
149 ~~limitations of this section. If an applicant applying for the tax credit meets the~~  
150 ~~criteria required under this section, the department shall issue a certificate in the~~  
151 ~~appropriate amount. If an applicant receives a tax credit for maintenance costs~~  
152 ~~as a part of the applicant's acquisition costs, the department shall post on its~~

153 ~~internet website the amount and type of maintenance costs and a description of~~  
154 ~~the redevelopment project for which the applicant received a tax credit within~~  
155 ~~thirty days after the department issues the certificate to the applicant.~~

156 ~~7. The total aggregate amount of tax credits authorized under this section~~  
157 ~~shall not exceed ninety-five million dollars. At no time shall the annual amount~~  
158 ~~of the tax credits issued under this section exceed twenty million dollars. If the~~  
159 ~~tax credits that are to be issued under this section exceed, in any year, the twenty~~  
160 ~~million dollar limitation, the department shall either:~~

161 ~~(1) Issue tax credits to the applicant in the amount of twenty million~~  
162 ~~dollars, if there is only one applicant entitled to receive tax credits in that year;~~  
163 ~~or~~

164 ~~(2) Issue the tax credits on a pro rata basis to all applicants entitled to~~  
165 ~~receive tax credits in that year. Any amount of tax credits, which an applicant is,~~  
166 ~~or applicants are, entitled to receive on an annual basis and are not issued due to~~  
167 ~~the twenty million dollar limitation, shall be carried forward for the benefit of the~~  
168 ~~applicant or applicants to subsequent years.~~

169 ~~\_\_\_\_\_~~  
170 ~~No tax credits provided under this section shall be authorized after August 28,~~  
171 ~~2013. Any tax credits which have been authorized on or before August 28, 2013,~~  
172 ~~but not issued, may be issued, subject to the limitations provided under this~~  
173 ~~subsection, until all such authorized tax credits have been issued.~~

174 ~~8. Upon issuance of any tax credits pursuant to this section, the~~  
175 ~~department shall report to the municipal authority the applicant's name and~~  
176 ~~address, the parcel numbers of the eligible parcels for which the tax credits were~~  
177 ~~issued, the itemized acquisition costs and interest costs for which tax credits were~~  
178 ~~issued, and the total value of the tax credits issued. The municipal authority and~~  
179 ~~the state shall not consider the amount of the tax credits as an applicant's cost, but~~  
180 ~~shall include the tax credits in any sources and uses and cost benefit analysis~~  
181 ~~reviewed or created for the purpose of awarding other economic incentives. The~~  
182 ~~amount of the tax credits shall not be considered an applicant's cost in the~~  
183 ~~evaluation of the amount of any award of any other economic incentives, but~~  
184 ~~shall be considered in measuring the reasonableness of the rate of return to the~~  
185 ~~applicant with respect to such award of other economic incentives. The~~  
186 ~~municipal authority shall provide the report to any relevant commission, board,~~  
187 ~~or entity responsible for the evaluation and recommendation or approval of other~~  
188 ~~economic incentives to assist in the redevelopment of the eligible project area.~~  
189 ~~Tax credits authorized under this section shall constitute redevelopment tax~~  
190 ~~credits, as such term is defined under section 135.800, and shall be subject to all~~  
191 ~~provisions applicable to redevelopment tax credits provided under sections~~  
192 ~~135.800 to 135.830.~~

193 ~~9. The department may promulgate rules to implement the provisions of~~  
194 ~~this section. Any rule or portion of a rule, as that term is defined in section~~  
195 ~~536.010, that is created under the authority delegated in this section shall become~~

196 ~~effective only if it complies with and is subject to all of the provisions of chapter~~  
197 ~~536 and, if applicable, section 536.028. This section and chapter 536 are~~  
198 ~~nonseverable and if any of the powers vested with the general assembly pursuant~~  
199 ~~to chapter 536 to review, to delay the effective date, or to disapprove and annul~~  
200 ~~a rule are subsequently held unconstitutional, then the grant of rulemaking~~  
201 ~~authority and any rule proposed or adopted after August 28, 2007, shall be invalid~~  
202 ~~and void.]~~

203

204 EXPLANATION: No new tax credits authorized after 8-28-2013, with 6-year  
205 carry forward (2019).

206

2 ~~[103.175. The board shall study and report to the general assembly, on~~  
3 ~~or before December 15, 2003, on the feasibility of including in this plan~~  
4 ~~individuals who are employees of eligible agencies which have not elected to join~~  
5 ~~the plan or who are retirees of school districts.]~~

5

6

7

EXPLANATION: The report under this section was due by 12-15-2003.

7

2 ~~[103.178. 1. Beginning on a date specified by the board of trustees of the~~  
3 ~~Missouri consolidated health care plan but not later than July 1, 1995, the~~  
4 ~~Missouri consolidated health care plan established under section 103.005 shall~~  
5 ~~implement a pilot project to make available to those residing in the pilot project~~  
6 ~~area who are covered by the plan an alternative system of benefits for the~~  
7 ~~treatment of chemical dependency added to those benefits regularly available to~~  
8 ~~plan participants. The benefits provided under the pilot project shall be similar~~  
9 ~~in scope and comprehensiveness, but not limited to, the benefits provided for the~~  
10 ~~treatment and rehabilitation of persons who are chemically dependent under the~~  
11 ~~department of mental health's comprehensive substance treatment and~~  
12 ~~rehabilitation program, popularly described as the C-STAR program. Such a~~  
13 ~~pilot project shall operate for a period not to exceed four years. To the extent that~~  
14 ~~participation in the pilot project incurs additional cost to a person covered under~~  
15 ~~the plan, participation shall be voluntary. If no additional cost is incurred, the~~  
16 ~~alternative system of benefits may be made in lieu of the regular benefits for the~~  
17 ~~services in the pilot project area.~~

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~~2. The Missouri state employees' retirement system or the Missouri~~  
~~health care plan, as appropriate, shall in cooperation with the department of~~  
~~mental health and the department of commerce and insurance design the pilot~~  
~~project so as to generate data to evaluate the costs and benefits of providing~~  
~~coverage of chemical dependency using an alternative set of benefits as provided~~  
~~in this section. The Missouri consolidated health care plan shall at the~~  
~~completion of the pilot project submit to the governor and the members of the~~  
~~general assembly a report which describes the results of the evaluation of this~~  
~~pilot project. As authorized by appropriations made for that purpose, the~~

26 ~~Missouri state employees' retirement system or the Missouri consolidated health~~  
 27 ~~care plan may contract with persons to conduct an independent evaluation of the~~  
 28 ~~pilot project established in this section.]~~

29

30 EXPLANATION: The provisions of this section became obsolete in 1999.

31

2 ~~[104.403. 1. Any state employee or retiree who retires pursuant to~~  
 3 ~~section 104.404, and who is also eligible for medical coverage as described in~~  
 4 ~~section 103.115, shall be eligible to apply for the following coverage:~~

5 ~~(1) Such retiree may elect to continue coverage for himself or herself and~~  
 6 ~~any eligible dependents at the same cost as if such retiree was an active~~  
 7 ~~employee;~~

8 ~~(2) Such retiree may continue to pay the applicable rate as if the retiree~~  
 9 ~~were an active employee for a maximum period of five years or upon becoming~~  
 10 ~~eligible for Medicare, whichever occurs first; and~~

11 ~~(3) After five years or upon becoming eligible for Medicare, the cost for~~  
 12 ~~medical coverage for such retiree and any dependents shall revert to the~~  
 13 ~~applicable rate in place at that time.~~

14 ~~2. Any employee or retiree of a participating member agency who retires~~  
 15 ~~pursuant to section 104.404 shall only be eligible to have the provisions of~~  
 16 ~~subsection 1 of this section applied to his or her coverage if the governing body~~  
 17 ~~of the participating member agency elects to provide such benefits.~~

18 ~~3. The governing boards of Truman State University, Lincoln University,~~  
 19 ~~the educational institutions described in section 174.020, the highway~~  
 20 ~~commission that governs the health care plans of the Missouri department of~~  
 21 ~~transportation and the Missouri state highway patrol, and the conservation~~  
 22 ~~commission of the department of conservation may elect to provide its employees~~  
 23 ~~or retirees who retire pursuant to section 104.404 the same benefits as described~~  
 24 ~~in subsection 1 of this section under the respective medical plans of those~~  
 25 ~~institutions and departments. If the highway commission elects to provide~~  
 26 ~~retirees the benefits of this section, any special consultant pursuant to section~~  
 27 ~~104.515 who is a member of the Missouri department of transportation and~~  
 28 ~~Missouri state highway patrol medical and life insurance plan and who retired on~~  
 29 ~~or after February 1, 2003, but prior to July 1, 2003, shall be eligible to receive the~~  
 30 ~~benefits of this section.]~~

31

2 ~~[104.404. 1. An employee who has not been a retiree of the system in~~  
 3 ~~which such employee is currently receiving creditable or credited service, who~~  
 4 ~~is eligible to receive a normal annuity pursuant to section 104.080, 104.090,~~  
 5 ~~104.100, 104.271, or 104.400, or a life and any temporary annuity pursuant to~~  
 6 ~~section 104.1024, and whose annuity commences no later than September 1,~~  
 7 ~~2003, shall be eligible to receive the medical benefits described in section~~  
 8 ~~104.403.~~

8 ~~2. An employee who would be eligible to receive a normal annuity~~  
9 ~~pursuant to section 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and~~  
10 ~~any temporary annuity pursuant to section 104.1024, no later than January 1,~~  
11 ~~2004, shall be eligible to retire based on the employee's creditable or credited~~  
12 ~~service and the average compensation or final average pay on the employee's date~~  
13 ~~of termination of employment if the employee applies to retire and whose annuity~~  
14 ~~commences no later than September 1, 2003. Such employee who so retires shall~~  
15 ~~be eligible to receive the medical benefits described in subsection 1 of this~~  
16 ~~section.~~

17 ~~3. Any employee described in subsections 1 and 2 of this section who~~  
18 ~~otherwise would be eligible to elect to receive benefits under the provisions of~~  
19 ~~sections 104.625 and 104.1024, by no later than January 1, 2004, shall be eligible~~  
20 ~~to elect to receive benefits pursuant to sections 104.625 and 104.1024; except~~  
21 ~~that in no event shall a lump sum payment be made for any time period after the~~  
22 ~~employee's annuity starting date.~~

23 ~~4. A retiree whose retirement annuity commenced on or after February~~  
24 ~~1, 2003, but no later than September 1, 2003, shall be eligible to receive the~~  
25 ~~medical benefits described in section 104.403.~~

26 ~~5. The state may hire employees to replace those employees retiring~~  
27 ~~pursuant to this section and section 104.403, except that departments shall not fill~~  
28 ~~more than twenty-five percent of those positions vacated. Exceptions to the~~  
29 ~~twenty-five percent restriction may be made for critical or seasonal positions or~~  
30 ~~positions which are entirely federally funded. Such determination shall be made~~  
31 ~~by rule and regulation promulgated by the office of administration. The~~  
32 ~~provisions of this subsection shall not apply to Truman University, Lincoln~~  
33 ~~University or the educational institutions described in section 174.020.~~

34 ~~6. Any rule or portion of a rule, as that term is defined in section 536.010,~~  
35 ~~that is created under the authority delegated in this section shall become effective~~  
36 ~~only if it complies with and is subject to all of the provisions of chapter 536 and,~~  
37 ~~if applicable, section 536.028. This section and chapter 536 are nonseverable and~~  
38 ~~if any of the powers vested with the general assembly pursuant to chapter 536 to~~  
39 ~~review, to delay the effective date, or to disapprove and annul a rule are~~  
40 ~~subsequently held unconstitutional, then the grant of rulemaking authority and~~  
41 ~~any rule proposed or adopted after August 28, 2003, shall be invalid and void.~~

42 ~~7. The Missouri state employees' retirement system and the highways and~~  
43 ~~transportation employees' and highway patrol retirement system shall make a~~  
44 ~~report in writing to the governor, commissioner of administration, and the general~~  
45 ~~assembly by April 1, 2004, and in addition shall provide monthly tracking of the~~  
46 ~~effect of state employee retirements pursuant to this section and section 104.403.~~  
47 ~~The report shall cover the time period of February 1, 2003, to January 31, 2004.~~  
48 ~~The report shall include the number of such retirements, the amount of payroll~~  
49 ~~affected as a result of retirements, and the financial effect of such retirements as~~  
50 ~~expressed in a report by each system's actuary.~~



51 ~~8. The office of administration shall make a report in writing to the~~  
52 ~~governor and the general assembly by April 1, 2004, and in addition shall provide~~  
53 ~~monthly tracking of the budgetary effect of state employee retirements pursuant~~  
54 ~~to this section and section 104.403. The report shall include the amount of~~  
55 ~~payroll reduced as a result of such retirements, the number of positions that are~~  
56 ~~core cut as a result of such retirements, the number of employees employed to~~  
57 ~~replace those who retired pursuant to this section, and the financial effect on the~~  
58 ~~budget, including any costs associated with payment of medical premiums by the~~  
59 ~~state.~~

60 ~~9. The Missouri consolidated health care plan shall make a report in~~  
61 ~~writing to the governor and the general assembly by April 1, 2004, and in~~  
62 ~~addition shall provide monthly tracking of the effect of state employee~~  
63 ~~retirements pursuant to this section and section 104.403. The report may include,~~  
64 ~~and not be limited to, the amount of payroll reduced as a result of such~~  
65 ~~retirements, the number of positions that are core cut as a result of such~~  
66 ~~retirements, the number of employees employed to replace those who retired~~  
67 ~~pursuant to this section, and the financial effect on the budget, including any~~  
68 ~~costs associated with payment of medical premiums by the state.]~~

69  
70 EXPLANATION: These sections were found to be obsolete by MOSERS.  
71

2 ~~[135.313. 1. Any person, firm or corporation who engages in the~~  
3 ~~business of producing charcoal or charcoal products in the state of Missouri shall~~  
4 ~~be eligible for a tax credit on income taxes otherwise due pursuant to chapter~~  
5 ~~143, except sections 143.191 to 143.261, as an incentive to implement safe and~~  
6 ~~efficient environmental controls. The tax credit shall be equal to fifty percent of~~  
7 ~~the purchase price of the best available control technology equipment connected~~  
8 ~~with the production of charcoal in the state of Missouri or, if the taxpayer~~  
9 ~~manufactures such equipment, fifty percent of the manufacturing cost of the~~  
10 ~~equipment, to and including the year the equipment is put into service. The credit~~  
11 ~~may be claimed for a period of eight years beginning with the 1998 calendar year~~  
12 ~~and is to be a tax credit against the tax otherwise due.~~

13 ~~2. Any amount of credit which exceeds the tax due shall not be refunded~~  
14 ~~but may be carried over to any subsequent taxable year, not to exceed seven~~  
15 ~~years.~~

16 ~~3. The charcoal producer may elect to assign to a third party the approved~~  
17 ~~tax credit. Certification of assignment and other appropriate forms must be filed~~  
18 ~~with the Missouri department of revenue and the department of economic~~  
19 ~~development.~~

20 ~~4. When applying for a tax credit, the charcoal producer specified in~~  
21 ~~subsection 1 of this section shall make application for the credit to the division~~  
22 ~~of environmental quality of the department of natural resources. The application~~  
~~shall identify the specific best available control technology equipment and the~~

23 ~~purchase price, or manufacturing cost of such equipment. The director of the~~  
 24 ~~department of natural resources is authorized to require permits to construct prior~~  
 25 ~~to the installation of best available control technology equipment and other~~  
 26 ~~information which he or she deems appropriate.~~

27 ~~5. The director of the department of natural resources in conjunction with~~  
 28 ~~the department of economic development shall certify to the department of~~  
 29 ~~revenue that the best available control technology equipment meets the~~  
 30 ~~requirements to obtain a tax credit as specified in this section.]~~

31  
 32 EXPLANATION: The tax credit under this section was authorized to be claimed  
 33 for 8 years after the 1998 calendar year, plus 7-year carry forward (2014).  
 34

~~[135.710. 1. As used in this section, the following terms mean:~~

2 ~~(1) "Alternative fuel vehicle refueling property", property in this state~~  
 3 ~~owned by an eligible applicant and used for storing alternative fuels and for~~  
 4 ~~dispensing such alternative fuels into fuel tanks of motor vehicles owned by such~~  
 5 ~~eligible applicant or private citizens;~~

6 ~~(2) "Alternative fuels", any motor fuel at least seventy percent of the~~  
 7 ~~volume of which consists of one or more of the following:~~

8 ~~(a) Ethanol;~~

9 ~~(b) Natural gas;~~

10 ~~(c) Compressed natural gas, or CNG;~~

11 ~~(d) Liquefied natural gas, or LNG;~~

12 ~~(e) Liquefied petroleum gas, or LP gas, propane, or autogas;~~

13 ~~(f) Any mixture of biodiesel and diesel fuel, without regard to any use of~~  
 14 ~~kerosene;~~

15 ~~(g) Hydrogen;~~

16 ~~(3) "Department", the department of economic development;~~

17 ~~(4) "Electric vehicle recharging property", property in this state owned~~  
 18 ~~by an eligible applicant and used for recharging electric motor vehicles owned by~~  
 19 ~~such eligible applicant or private citizens;~~

20 ~~(5) "Eligible applicant", a business entity or private citizen that is the~~  
 21 ~~owner of an electric vehicle recharging property or an alternative fuel vehicle~~  
 22 ~~refueling property;~~

23 ~~(6) "Qualified Missouri contractor", a contractor whose principal place~~  
 24 ~~of business is located in Missouri and has been located in Missouri for a period~~  
 25 ~~of not less than five years;~~

26 ~~(7) "Qualified property", an electric vehicle recharging property or an~~  
 27 ~~alternative fuel vehicle refueling property which, if constructed after August 28,~~  
 28 ~~2014, was constructed with at least fifty-one percent of the costs being paid to~~  
 29 ~~qualified Missouri contractors for the:~~

30 ~~(a) Fabrication of premanufactured equipment or process piping used in~~  
 31 ~~the construction of such facility;~~

32 ~~\_\_\_\_\_ (b) Construction of such facility; and~~  
33 ~~\_\_\_\_\_ (c) General maintenance of such facility during the time period in which~~  
34 ~~such facility receives any tax credit under this section.~~  
35

36 ~~\_\_\_\_\_ If no qualified Missouri contractor is located within seventy-five miles of the~~  
37 ~~property, the requirement that fifty-one percent of the costs shall be paid to~~  
38 ~~qualified Missouri contractors shall not apply.~~

39 ~~\_\_\_\_\_ 2. For all tax years beginning on or after January 1, 2015, but before~~  
40 ~~January 1, 2018, any eligible applicant who installs and operates a qualified~~  
41 ~~property shall be allowed a credit against the tax otherwise due under chapter~~  
42 ~~143, excluding withholding tax imposed by sections 143.191 to 143.265, or due~~  
43 ~~under chapter 147 or chapter 148 for any tax year in which the applicant is~~  
44 ~~constructing the qualified property. The credit allowed in this section per eligible~~  
45 ~~applicant who is a private citizen shall not exceed fifteen hundred dollars or per~~  
46 ~~eligible applicant that is a business entity shall not exceed the lesser of twenty~~  
47 ~~thousand dollars or twenty percent of the total costs directly associated with the~~  
48 ~~purchase and installation of any alternative fuel storage and dispensing equipment~~  
49 ~~or any recharging equipment on any qualified property, which shall not include~~  
50 ~~the following:~~

51 ~~\_\_\_\_\_ (1) Costs associated with the purchase of land upon which to place a~~  
52 ~~qualified property;~~

53 ~~\_\_\_\_\_ (2) Costs associated with the purchase of an existing qualified property;~~  
54 ~~or~~

55 ~~\_\_\_\_\_ (3) Costs for the construction or purchase of any structure.~~

56 ~~\_\_\_\_\_ 3. Tax credits allowed by this section shall be claimed by the eligible~~  
57 ~~applicant at the time such applicant files a return for the tax year in which the~~  
58 ~~storage and dispensing or recharging facilities were placed in service at a~~  
59 ~~qualified property, and shall be applied against the income tax liability imposed~~  
60 ~~by chapter 143, chapter 147, or chapter 148 after all other credits provided by law~~  
61 ~~have been applied. The cumulative amount of tax credits which may be claimed~~  
62 ~~by eligible applicants claiming all credits authorized in this section shall not~~  
63 ~~exceed one million dollars in any calendar year, subject to appropriations.~~

64 ~~\_\_\_\_\_ 4. If the amount of the tax credit exceeds the eligible applicant's tax~~  
65 ~~liability, the difference shall not be refundable. Any amount of credit that an~~  
66 ~~eligible applicant is prohibited by this section from claiming in a taxable year~~  
67 ~~may be carried forward to any of such applicant's two subsequent taxable years.~~  
68 ~~Tax credits allowed under this section may be assigned, transferred, sold, or~~  
69 ~~otherwise conveyed.~~

70 ~~\_\_\_\_\_ 5. Any qualified property, for which an eligible applicant receives tax~~  
71 ~~credits under this section, which ceases to sell alternative fuel or recharge electric~~  
72 ~~vehicles shall cause the forfeiture of such eligible applicant's tax credits provided~~  
73 ~~under this section for the taxable year in which the qualified property ceased to~~  
74 ~~sell alternative fuel or recharge electric vehicles and for future taxable years with~~

75 ~~no recapture of tax credits obtained by an eligible applicant with respect to such~~  
76 ~~applicant's tax years which ended before the sale of alternative fuel or recharging~~  
77 ~~of electric vehicles ceased.~~

78 ~~6. The director of revenue shall establish the procedure by which the tax~~  
79 ~~credits in this section may be claimed, and shall establish a procedure by which~~  
80 ~~the cumulative amount of tax credits is apportioned equally among all eligible~~  
81 ~~applicants claiming the credit. To the maximum extent possible, the director of~~  
82 ~~revenue shall establish the procedure described in this subsection in such a~~  
83 ~~manner as to ensure that eligible applicants can claim all the tax credits possible~~  
84 ~~up to the cumulative amount of tax credits available for the taxable year. No~~  
85 ~~eligible applicant claiming a tax credit under this section shall be liable for any~~  
86 ~~interest or penalty for filing a tax return after the date fixed for filing such return~~  
87 ~~as a result of the apportionment procedure under this subsection.~~

88 ~~7. Any eligible applicant desiring to claim a tax credit under this section~~  
89 ~~shall submit the appropriate application for such credit with the department. The~~  
90 ~~application for a tax credit under this section shall include any information~~  
91 ~~required by the department. The department shall review the applications and~~  
92 ~~certify to the department of revenue each eligible applicant that qualifies for the~~  
93 ~~tax credit.~~

94 ~~8. The department and the department of revenue may promulgate rules~~  
95 ~~to implement the provisions of this section. Any rule or portion of a rule, as that~~  
96 ~~term is defined in section 536.010, that is created under the authority delegated~~  
97 ~~in this section shall become effective only if it complies with and is subject to all~~  
98 ~~of the provisions of chapter 536 and, if applicable, section 536.028. This section~~  
99 ~~and chapter 536 are nonseverable and if any of the powers vested with the general~~  
100 ~~assembly pursuant to chapter 536 to review, to delay the effective date, or to~~  
101 ~~disapprove and annul a rule are subsequently held unconstitutional, then the grant~~  
102 ~~of rulemaking authority and any rule proposed or adopted after August 28, 2008,~~  
103 ~~shall be invalid and void.~~

104 ~~9. The provisions of section 23.253 of the Missouri sunset act~~  
105 ~~notwithstanding:~~

106 ~~(1) The provisions of the new program authorized under this section shall~~  
107 ~~automatically sunset three years after December 31, 2014, unless reauthorized by~~  
108 ~~an act of the general assembly; and~~

109 ~~(2) If such program is reauthorized, the program authorized under this~~  
110 ~~section shall automatically sunset six years after the effective date of the~~  
111 ~~reauthorization of this section; and~~

112 ~~(3) This section shall terminate on December thirty-first of the calendar~~  
113 ~~year immediately following the calendar year in which the program authorized~~  
114 ~~under this section is sunset; and~~

115 ~~(4) The provisions of this subsection shall not be construed to limit or in~~  
116 ~~any way impair the department's ability to redeem tax credits authorized on or~~

117 ~~before the date the program authorized under this section expires or a taxpayer's~~  
 118 ~~ability to redeem such tax credits.]~~

119  
 120 EXPLANATION: This section sunset 12-31-2017. NOTE: A Sunset Review  
 121 Report on this section was voted on by the Joint Committee on Legislative  
 122 Research on 9-10-2013.

123

~~[135.750. 1. As used in this section, the following terms mean:~~

- 2 ~~(1) "Highly compensated individual", any individual who receives~~  
 3 ~~compensation in excess of one million dollars in connection with a single~~  
 4 ~~qualified film production project;~~
- 5 ~~(2) "Qualified film production project", any film, video, commercial, or~~  
 6 ~~television production, as approved by the department of economic development~~  
 7 ~~and the office of the Missouri film commission, that is under thirty minutes in~~  
 8 ~~length with an expected in-state expenditure budget in excess of fifty thousand~~  
 9 ~~dollars, or that is over thirty minutes in length with an expected in-state~~  
 10 ~~expenditure budget in excess of one hundred thousand dollars. Regardless of the~~  
 11 ~~production costs, "qualified film production project" shall not include any:~~
- 12 ~~(a) News or current events programming;~~  
 13 ~~(b) Talk show;~~  
 14 ~~(c) Production produced primarily for industrial, corporate, or~~  
 15 ~~institutional purposes, and for internal use;~~  
 16 ~~(d) Sports event or sports program;~~  
 17 ~~(e) Gala presentation or awards show;~~  
 18 ~~(f) Infomercial or any production that directly solicits funds;~~  
 19 ~~(g) Political ad;~~  
 20 ~~(h) Production that is considered obscene, as defined in section 573.010;~~
- 21 ~~(3) "Qualifying expenses", the sum of the total amount spent in this state~~  
 22 ~~for the following by a production company in connection with a qualified film~~  
 23 ~~production project:~~
- 24 ~~(a) Goods and services leased or purchased by the production company.~~  
 25 ~~For goods with a purchase price of twenty-five thousand dollars or more, the~~  
 26 ~~amount included in qualifying expenses shall be the purchase price less the fair~~  
 27 ~~market value of the goods at the time the production is completed;~~
- 28 ~~(b) Compensation and wages paid by the production company on which~~  
 29 ~~the production company remitted withholding payments to the department of~~  
 30 ~~revenue under chapter 143. For purposes of this section, compensation and~~  
 31 ~~wages shall not include any amounts paid to a highly compensated individual;~~
- 32 ~~(4) "Tax credit", a credit against the tax otherwise due under chapter 143,~~  
 33 ~~excluding withholding tax imposed by sections 143.191 to 143.265, or otherwise~~  
 34 ~~due under chapter 148;~~
- 35 ~~(5) "Taxpayer", any individual, partnership, or corporation as described~~  
 36 ~~in section 143.441, 143.471, or section 148.370 that is subject to the tax imposed~~

37 ~~in chapter 143, excluding withholding tax imposed by sections 143.191 to~~  
38 ~~143.265, or the tax imposed in chapter 148 or any charitable organization which~~  
39 ~~is exempt from federal income tax and whose Missouri unrelated business~~  
40 ~~taxable income, if any, would be subject to the state income tax imposed under~~  
41 ~~chapter 143.~~

42 ~~2. For all taxable years beginning on or after January 1, 1999, but ending~~  
43 ~~on or before December 31, 2007, a taxpayer shall be granted a tax credit for up~~  
44 ~~to fifty percent of the amount of investment in production or production-related~~  
45 ~~activities in any film production project with an expected in-state expenditure~~  
46 ~~budget in excess of three hundred thousand dollars. For all taxable years~~  
47 ~~beginning on or after January 1, 2008, a taxpayer shall be allowed a tax credit for~~  
48 ~~up to thirty-five percent of the amount of qualifying expenses in a qualified film~~  
49 ~~production project. Each film production company shall be limited to one~~  
50 ~~qualified film production project per year. Activities qualifying a taxpayer for the~~  
51 ~~tax credit pursuant to this subsection shall be approved by the office of the~~  
52 ~~Missouri film commission and the department of economic development.~~

53 ~~3. Taxpayers shall apply for the film production tax credit by submitting~~  
54 ~~an application to the department of economic development, on a form provided~~  
55 ~~by the department. As part of the application, the expected in-state expenditures~~  
56 ~~of the qualified film production project shall be documented. In addition, the~~  
57 ~~application shall include an economic impact statement, showing the economic~~  
58 ~~impact from the activities of the film production project. Such economic impact~~  
59 ~~statement shall indicate the impact on the region of the state in which the film~~  
60 ~~production or production-related activities are located and on the state as a whole.~~

61 ~~4. For all taxable years ending on or before December 31, 2007, tax~~  
62 ~~credits certified pursuant to subsection 2 of this section shall not exceed one~~  
63 ~~million dollars per taxpayer per year, and shall not exceed a total for all tax~~  
64 ~~credits certified of one million five hundred thousand dollars per year. For all~~  
65 ~~taxable years beginning on or after January 1, 2008, tax credits certified under~~  
66 ~~subsection 1 of this section shall not exceed a total for all tax credits certified of~~  
67 ~~four million five hundred thousand dollars per year. Taxpayers may carry~~  
68 ~~forward unused credits for up to five tax periods, provided all such credits shall~~  
69 ~~be claimed within ten tax periods following the tax period in which the film~~  
70 ~~production or production-related activities for which the credits are certified by~~  
71 ~~the department occurred.~~

72 ~~5. Notwithstanding any provision of law to the contrary, any taxpayer~~  
73 ~~may sell, assign, exchange, convey or otherwise transfer tax credits allowed in~~  
74 ~~subsection 2 of this section. The taxpayer acquiring the tax credits may use the~~  
75 ~~acquired credits to offset the tax liabilities otherwise imposed by chapter 143,~~  
76 ~~excluding withholding tax imposed by sections 143.191 to 143.265, or chapter~~  
77 ~~148. Unused acquired credits may be carried forward for up to five tax periods,~~  
78 ~~provided all such credits shall be claimed within ten tax periods following the tax~~

79 period in which the film production or production-related activities for which the  
80 credits are certified by the department occurred.

81 ~~6. Under section 23.253 of the Missouri sunset act.~~

82 ~~(1) The provisions of the new program authorized under this section shall~~  
83 ~~automatically sunset six years after November 28, 2007, unless reauthorized by~~  
84 ~~an act of the general assembly; and~~

85 ~~(2) If such program is reauthorized, the program authorized under this~~  
86 ~~section shall automatically sunset twelve years after the effective date of the~~  
87 ~~reauthorization of this section; and~~

88 ~~(3) This section shall terminate on September first of the calendar year~~  
89 ~~immediately following the calendar year in which the program authorized under~~  
90 ~~this section is sunset.]~~

91

92 EXPLANATION: This section sunset 11-28-2013. NOTE: A Sunset Review  
93 Report on this section was voted on by the Joint Committee on Legislative  
94 Research on 4-9-2013.

95

~~[135.980. 1. As used in this section, the following terms shall mean:~~

2 ~~(1) "NAICS", the classification provided by the most recent edition of the~~  
3 ~~North American Industry Classification System as prepared by the Executive~~  
4 ~~Office of the President, Office of Management and Budget;~~

5 ~~(2) "Public financial incentive", any economic or financial incentive~~  
6 ~~offered including:~~

7 ~~(a) Any tax reduction, credit, forgiveness, abatement, subsidy, or other~~  
8 ~~tax-relieving measure;~~

9 ~~(b) Any tax increment financing or similar financial arrangement;~~

10 ~~(c) Any monetary or nonmonetary benefit related to any bond, loan, or~~  
11 ~~similar financial arrangement;~~

12 ~~(d) Any reduction, credit, forgiveness, abatement, subsidy, or other relief~~  
13 ~~related to any bond, loan, or similar financial arrangement; and~~

14 ~~(e) The ability to form, own, direct, or receive any economic or financial~~  
15 ~~benefit from any special taxation district.~~

16 ~~2. No city not within a county shall by ballot measure impose any~~  
17 ~~restriction on any public financial incentive authorized by statute for a business~~  
18 ~~with a NAICS code of 212111.~~

19 ~~3. The provisions of this section shall expire on December 31, 2017.]~~

20

21 EXPLANATION: This section expired 12-31-2017.

22

~~[136.450. 1. There is hereby established the "Study Commission on State~~  
2 ~~Tax Policy" which shall be composed of the following members:~~

3 ~~(1) The members of the joint committee on tax policy established in~~  
4 ~~section 21.810;~~

- 5 ~~\_\_\_\_\_ (2) The state treasurer;~~  
6 ~~\_\_\_\_\_ (3) The state budget director;~~  
7 ~~\_\_\_\_\_ (4) The director of the department of revenue, but only if such person has~~  
8 ~~been appointed by the governor with the advice and consent of the senate in~~  
9 ~~accordance with Article IV, Section 51 of the Constitution of Missouri;~~  
10 ~~\_\_\_\_\_ (5) Three individuals representing the needs and concerns of individual~~  
11 ~~taxpayers in this state, one of whom shall be appointed by the lieutenant~~  
12 ~~governor, one of whom shall be appointed by the minority floor leader of the~~  
13 ~~house of representatives, and one of whom shall be appointed by the minority~~  
14 ~~floor leader of the senate;~~  
15 ~~\_\_\_\_\_ (6) A certified public accountant, who shall be appointed by the~~  
16 ~~lieutenant governor in consultation with the Missouri Society of Certified Public~~  
17 ~~Accountants;~~  
18 ~~\_\_\_\_\_ (7) An independent tax practitioner, who shall be appointed by the~~  
19 ~~lieutenant governor in consultation with the Missouri Society of Accountants;~~  
20 ~~\_\_\_\_\_ (8) An individual with experience operating a business with a~~  
21 ~~headquarters in this state and fewer than fifty employees, who shall be appointed~~  
22 ~~by the speaker of the house of representatives;~~  
23 ~~\_\_\_\_\_ (9) An individual with experience operating a business with a~~  
24 ~~headquarters in this state and at least fifty employees, who shall be appointed by~~  
25 ~~the president pro tempore of the senate;~~  
26 ~~\_\_\_\_\_ (10) Two individuals with significant experience in state and local~~  
27 ~~taxation, public or private budgeting and finance, or public services delivery, one~~  
28 ~~of whom shall be appointed by the speaker of the house of representatives in~~  
29 ~~consultation with the Missouri Association of Counties and the other appointed~~  
30 ~~by the president pro tempore of the senate in consultation with Missouri~~  
31 ~~Municipal League; and~~  
32 ~~\_\_\_\_\_ (11) A member of the Missouri Bar with knowledge of the tax laws of~~  
33 ~~this state, including tax administration and compliance, who shall be appointed~~  
34 ~~by the board of governors of the Missouri Bar.~~  
35 ~~\_\_\_\_\_ 2. Any vacancy on the commission shall be filled in the same manner as~~  
36 ~~the original appointment. Any appointed member of the commission shall serve~~  
37 ~~at the pleasure of the appointing authority. Commission members shall serve~~  
38 ~~without compensation but shall be entitled to reimbursement for actual and~~  
39 ~~necessary expenses incurred in the performance of their official duties.~~  
40 ~~\_\_\_\_\_ 3. The commission shall meet in the capitol building within ten days after~~  
41 ~~its creation and organize by selecting a chair and vice chair from its members.~~  
42 ~~After its organization, the commission shall adopt an agenda establishing at least~~  
43 ~~five hearing dates. The hearings shall be held in different geographic regions of~~  
44 ~~the state and open to the public. Additional meetings may be scheduled and held~~  
45 ~~as often as the chair deems advisable. A majority of the members shall constitute~~  
46 ~~a quorum.~~  
47 ~~\_\_\_\_\_ 4. It shall be the duty of the commission:~~



48 ~~————— (1) To make a complete, detailed review and study of the tax structure of~~  
49 ~~the state and its political subdivisions, including tax sources, the impact of taxes,~~  
50 ~~collection procedures, administrative regulations, and all other factors pertinent~~  
51 ~~to the fiscal operation of the state;~~

52 ~~————— (2) To identify the strengths and weaknesses of state tax laws, and~~  
53 ~~develop a broad range of improvements that could be made to modernize the tax~~  
54 ~~system, maximize economic development and growth, and maintain necessary~~  
55 ~~government services at an appropriate level;~~

56 ~~————— (3) To investigate measures and methods to simplify state tax law,~~  
57 ~~improve tax compliance, and reduce administrative costs; and~~

58 ~~————— (4) To examine and study any other aspects of state and local government~~  
59 ~~which may be related to the tax structure of the state.~~

60 ~~————— 5. In order to carry out its duties and responsibilities under this section,~~  
61 ~~the commission shall have the authority to:~~

62 ~~————— (1) Consult with public and private universities and academics, public~~  
63 ~~and private organizations, and private citizens in the performance of its duties;~~

64 ~~————— (2) Within the limits of appropriations made for such purpose, employ~~  
65 ~~consultants or others to assist the commission in its work, or contract with public~~  
66 ~~and private entities for analysis and study of current or proposed changes to state~~  
67 ~~and local tax policy; and~~

68 ~~————— (3) Make reasonable requests for staff assistance from the research and~~  
69 ~~appropriations staffs of the house of representatives and senate and the committee~~  
70 ~~on legislative research, as well as the office of administration and the department~~  
71 ~~of revenue.~~

72 ~~————— 6. All state agencies and political subdivisions of the state responsible for~~  
73 ~~the administration of tax policies shall cooperate with and assist the commission~~  
74 ~~in the performance of its duties and shall make available all books, records, and~~  
75 ~~information requested, except such books, records, and information as are by law~~  
76 ~~declared confidential in nature, including individually identifiable information~~  
77 ~~regarding a specific taxpayer.~~

78 ~~————— 7. The commission may issue interim reports as it deems fit, but it shall~~  
79 ~~provide the governor and the general assembly with reports of its findings and~~  
80 ~~recommendations for legal and administrative changes, along with any proposed~~  
81 ~~legislation the commission recommends for adoption by the general assembly.~~  
82 ~~A preliminary report shall be due by December 31, 2016. A final report shall be~~  
83 ~~due December 31, 2017.~~

84 ~~————— 8. The commission shall cease all activities by January 1, 2018. This~~  
85 ~~section shall expire August 28, 2018.]~~

86

87 EXPLANATION: This section expired 8-28-2018.

88

[143.173. 1. As used in this section, the following terms mean:

- 2 ~~(1) "County average wage", the average wages in each county as~~  
3 ~~determined by the department of economic development for the most recently~~  
4 ~~completed full calendar year. However, if the computed county average wage is~~  
5 ~~above the statewide average wage, the statewide average wage shall be deemed~~  
6 ~~the county average wage for such county for the purpose of this section;~~
- 7 ~~(2) "Deduction", an amount subtracted from the taxpayer's Missouri~~  
8 ~~adjusted gross income to determine Missouri taxable income, or federal taxable~~  
9 ~~income in the case of a corporation, for the tax year in which such deduction is~~  
10 ~~claimed;~~
- 11 ~~(3) "Full-time employee", a position in which the employee is considered~~  
12 ~~full-time by the taxpayer and is required to work an average of at least thirty-five~~  
13 ~~hours per week for a fifty-two week period;~~
- 14 ~~(4) "New job", the number of full-time employees employed by the small~~  
15 ~~business in Missouri on the qualifying date that exceeds the number of full-time~~  
16 ~~employees employed by the small business in Missouri on the same date of the~~  
17 ~~immediately preceding taxable year;~~
- 18 ~~(5) "Qualifying date", any date during the tax year as chosen by the small~~  
19 ~~business;~~
- 20 ~~(6) "Small business", any small business, including any sole~~  
21 ~~proprietorship, partnership, S-corporation, C-corporation, limited liability~~  
22 ~~company, limited liability partnership, or other business entity, consisting of~~  
23 ~~fewer than fifty full- or part-time employees;~~
- 24 ~~(7) "Taxpayer", any small business subject to the income tax imposed in~~  
25 ~~this chapter, including any sole proprietorship, partnership, S-corporation,~~  
26 ~~C-corporation, limited liability company, limited liability partnership, or other~~  
27 ~~business entity.~~
- 28 ~~2. In addition to all deductions listed in this chapter, for all taxable years~~  
29 ~~beginning on or after January 1, 2011, and ending on or before December 31,~~  
30 ~~2014, a taxpayer shall be allowed a deduction for each new job created by the~~  
31 ~~small business in the taxable year. Tax deductions allowed to any partnership,~~  
32 ~~limited liability company, S-corporation, or other pass-through entity may be~~  
33 ~~allocated to the partners, members, or shareholders of such entity for their direct~~  
34 ~~use in accordance with the provisions of any agreement among such partners,~~  
35 ~~members, or shareholders. The deduction amount shall be as follows:~~
- 36 ~~(1) Ten thousand dollars for each new job created with an annual salary~~  
37 ~~of at least the county average wage; or~~
- 38 ~~(2) Twenty thousand dollars for each new job created with an annual~~  
39 ~~salary of at least the county average wage if the small business offers health~~  
40 ~~insurance and pays at least fifty percent of such insurance premiums.~~
- 41 ~~3. The department of revenue shall establish the procedure by which the~~  
42 ~~deduction provided in this section may be claimed, and may promulgate rules to~~  
43 ~~implement the provisions of this section. Any rule or portion of a rule, as that~~  
44 ~~term is defined in section 536.010, that is created under the authority delegated~~

45 ~~in this section shall become effective only if it complies with and is subject to all~~  
 46 ~~of the provisions of chapter 536 and, if applicable, section 536.028. This section~~  
 47 ~~and chapter 536 are nonseverable and if any of the powers vested with the general~~  
 48 ~~assembly under chapter 536 to review, to delay the effective date, or to~~  
 49 ~~disapprove and annul a rule are subsequently held unconstitutional, then the grant~~  
 50 ~~of rulemaking authority and any rule proposed or adopted after August 28, 2011,~~  
 51 ~~shall be invalid and void.~~

52 ~~4. Under section 23.253 of the Missouri sunset act:~~

53 ~~(1) The provisions of the new program authorized under this section shall~~  
 54 ~~automatically sunset on December thirty-first three years after August 28, 2011,~~  
 55 ~~unless reauthorized by an act of the general assembly; and~~

56 ~~(2) If such program is reauthorized, the program authorized under this~~  
 57 ~~section shall automatically sunset on December thirty-first three years after the~~  
 58 ~~effective date of the reauthorization of this section; and~~

59 ~~(3) This section shall terminate on September first of the calendar year~~  
 60 ~~immediately following the calendar year in which the program authorized under~~  
 61 ~~this section is sunset.]~~

62  
 63 EXPLANATION: This section sunset 12-31-2014. NOTE: A Sunset Review  
 64 Report on this section was voted on by the Joint Committee on Legislative  
 65 Research on 9-10-2013.  
 66

2 ~~[143.1008. 1. In each taxable year beginning on or after January 1, 2008,~~  
 3 ~~each individual or corporation entitled to a tax refund in an amount sufficient to~~  
 4 ~~make a designation under this section may designate that one dollar or any~~  
 5 ~~amount in excess of one dollar on a single return, and two dollars or any amount~~  
 6 ~~in excess of two dollars on a combined return, of the refund due be credited to the~~  
 7 ~~after-school retreat reading and assessment grant program fund. The contribution~~  
 8 ~~designation authorized by this section shall be clearly and unambiguously printed~~  
 9 ~~on the first page of each income tax return form provided by this state. If any~~  
 10 ~~individual or corporation that is not entitled to a tax refund in an amount~~  
 11 ~~sufficient to make a designation under this section wishes to make a contribution~~  
 12 ~~to the after-school retreat reading and assessment grant program fund, such~~  
 13 ~~individual or corporation may, by separate check, draft, or other negotiable~~  
 14 ~~instrument, send in with the payment of taxes, or may send in separately, that~~  
 15 ~~amount, clearly designated for the after-school retreat reading and assessment~~  
 16 ~~grant program fund, the individual or corporation wishes to contribute. The~~  
 17 ~~department of revenue shall deposit such amount to the after-school retreat~~  
 18 ~~reading and assessment grant program fund as provided in subsection 2 of this~~  
 19 ~~section.~~

20 ~~2. The director of revenue shall deposit at least monthly all contributions~~  
 21 ~~designated by individuals under this section to the state treasurer for deposit to~~  
 the after-school retreat reading and assessment grant program fund. The fund

22 shall be administered by the department of elementary and secondary education  
23 with moneys in the fund distributed as provided under section 167.680.

24 ~~3. The director of revenue shall deposit at least monthly all contributions~~  
25 ~~designated by the corporations under this section, less an amount sufficient to~~  
26 ~~cover the cost of collection, handling, and administration by the department of~~  
27 ~~revenue during fiscal year 2008, to the after-school retreat reading and~~  
28 ~~assessment grant program fund.~~

29 ~~4. A contribution designated under this section shall only be deposited~~  
30 ~~in the after-school retreat reading and assessment grant program fund after all~~  
31 ~~other claims against the refund from which such contribution is to be made have~~  
32 ~~been satisfied.~~

33 ~~5. Moneys deposited in the after-school retreat reading and assessment~~  
34 ~~grant program fund shall be distributed by the department of elementary and~~  
35 ~~secondary education in accordance with the provisions of this section and section~~  
36 ~~167.680.~~

37 ~~6. The state treasurer shall invest moneys in the fund in the same manner~~  
38 ~~as other funds are invested. Any interest and moneys earned on such investments~~  
39 ~~shall be credited to the fund.~~

40 ~~7. Pursuant to section 23.253 of the Missouri sunset act:~~

41 ~~(1) The provisions of the new program authorized under this section shall~~  
42 ~~automatically sunset six years after August 28, 2007, unless reauthorized by an~~  
43 ~~act of the general assembly; and~~

44 ~~(2) If such program is reauthorized, the program authorized under this~~  
45 ~~section shall automatically sunset twelve years after the effective date of the~~  
46 ~~reauthorization of this section; and~~

47 ~~(3) This section shall terminate on December thirty-first of the calendar~~  
48 ~~year immediately following the calendar year in which the program authorized~~  
49 ~~under this section is sunset.]~~

50

51 EXPLANATION: This section sunset 8-28-2013. NOTE: A Sunset Review  
52 Report on this section was voted on by the Joint Committee on Legislative  
53 Research on 4-9-2013.

54

2 ~~[143.1009. 1. In each taxable year beginning on or after January 1, 2008,~~  
3 ~~each individual or corporation entitled to a tax refund in an amount sufficient to~~  
4 ~~make a designation under this section may designate that one dollar or any~~  
5 ~~amount in excess of one dollar on a single return, and two dollars or any amount~~  
6 ~~in excess of two dollars on a combined return, of the refund due be credited to the~~  
7 ~~breast cancer awareness trust fund, hereinafter referred to as the trust fund. If any~~  
8 ~~individual or corporation that is not entitled to a tax refund in an amount~~  
9 ~~sufficient to make a designation under this section wishes to make a contribution~~  
10 ~~to the trust fund, such individual or corporation may, by separate check, draft, or~~  
~~other negotiable instrument, send in with the payment of taxes, or may send in~~

11 ~~separately, that amount, clearly designated for the breast cancer awareness trust~~  
 12 ~~fund, the individual or corporation wishes to contribute. The department of~~  
 13 ~~revenue shall deposit such amount to the trust fund as provided in subsections 2~~  
 14 ~~and 3 of this section. All moneys credited to the trust fund shall be considered~~  
 15 ~~nonstate funds under the provisions of Article IV, Section 15 of the Missouri~~  
 16 ~~Constitution.~~

17 ~~2. The director of revenue shall deposit at least monthly all contributions~~  
 18 ~~designated by individuals under this section to the state treasurer for deposit to~~  
 19 ~~the trust fund.~~

20 ~~3. The director of revenue shall deposit at least monthly all contributions~~  
 21 ~~designated by the corporations under this section, less an amount sufficient to~~  
 22 ~~cover the costs of collection and handling by the department of revenue, to the~~  
 23 ~~state treasury for deposit to the trust fund.~~

24 ~~4. A contribution designated under this section shall only be deposited~~  
 25 ~~in the trust fund after all other claims against the refund from which such~~  
 26 ~~contribution is to be made have been satisfied.~~

27 ~~5. All moneys transferred to the trust fund shall be distributed by the~~  
 28 ~~director of revenue at times the director deems appropriate to the department of~~  
 29 ~~health and senior services. Such funds shall be used solely for the purpose of~~  
 30 ~~providing breast cancer services. Notwithstanding the provisions of section~~  
 31 ~~33.080 to the contrary, moneys in the trust fund at the end of any biennium shall~~  
 32 ~~not be transferred to the credit of the general revenue fund.~~

33 ~~6. There is hereby created in the state treasury the "Breast Cancer~~  
 34 ~~Awareness Trust Fund", which shall consist of money collected under this~~  
 35 ~~section. The state treasurer shall be custodian of the fund. In accordance with~~  
 36 ~~sections 30.170 and 30.180, the state treasurer may approve disbursements.~~

37 ~~7. Under section 23.253 of the Missouri sunset act:~~

38 ~~(1) The provisions of the new program authorized under this section shall~~  
 39 ~~automatically sunset six years after August 28, 2008, unless reauthorized by an~~  
 40 ~~act of the general assembly; and~~

41 ~~(2) If such program is reauthorized, the program authorized under this~~  
 42 ~~section shall automatically sunset twelve years after the effective date of the~~  
 43 ~~reauthorization of this section; and~~

44 ~~(3) This section shall terminate on December thirty-first of the calendar~~  
 45 ~~year immediately following the calendar year in which the program authorized~~  
 46 ~~under this section is sunset.]~~

47  
 48 EXPLANATION: This section sunset 8-28-2014. NOTE: A Sunset Review  
 49 Report on this section was voted on by the Joint Committee on Legislative  
 50 Research on 9-10-2013.

51  
 2 ~~[143.1013. 1. For all taxable years beginning on or after January 1, 2011,~~  
~~each individual or corporation entitled to a tax refund in an amount sufficient to~~

3       ~~make a designation under this section may designate that one dollar or any~~  
4       ~~amount in excess of one dollar on a single return, and two dollars or any amount~~  
5       ~~in excess of two dollars on a combined return, of the refund due be credited to the~~  
6       ~~American Red Cross trust fund. If any individual or corporation that is not~~  
7       ~~entitled to a tax refund in an amount sufficient to make a designation under this~~  
8       ~~section wishes to make a contribution to the fund, such individual or corporation~~  
9       ~~may, by separate check, draft, or other negotiable instrument, send in with the~~  
10       ~~payment of taxes, or may send in separately, that amount the individual or~~  
11       ~~corporation wishes to contribute. Such amounts shall be clearly designated for~~  
12       ~~the fund.~~

13       ~~2. There is hereby created in the state treasury the "American Red Cross~~  
14       ~~Trust Fund", which shall consist of money collected under this section. The state~~  
15       ~~treasurer shall be custodian of the fund. In accordance with sections 30.170 and~~  
16       ~~30.180, the state treasurer may approve disbursements. The fund shall be a~~  
17       ~~dedicated fund and, upon appropriation, money in the fund shall be used solely~~  
18       ~~for the administration of this section. Notwithstanding the provisions of section~~  
19       ~~33.080 to the contrary, any moneys remaining in the fund at the end of the~~  
20       ~~biennium shall not revert to the credit of the general revenue fund. The state~~  
21       ~~treasurer shall invest moneys in the fund in the same manner as other funds are~~  
22       ~~invested. Any interest and moneys earned on such investments shall be credited~~  
23       ~~to the fund. All moneys credited to the trust fund shall be considered nonstate~~  
24       ~~funds under Section 15, Article IV, Constitution of Missouri. The treasurer shall~~  
25       ~~distribute all moneys deposited in the fund at times the treasurer deems~~  
26       ~~appropriate to the American Red Cross.~~

27       ~~3. The director of revenue shall deposit at least monthly all contributions~~  
28       ~~designated by individuals under this section to the state treasurer for deposit to~~  
29       ~~the fund. The director of revenue shall deposit at least monthly all contributions~~  
30       ~~designated by the corporations under this section, less an amount sufficient to~~  
31       ~~cover the costs of collection and handling by the department of revenue, to the~~  
32       ~~state treasury for deposit to the fund. A contribution designated under this~~  
33       ~~section shall only be deposited in the fund after all other claims against the refund~~  
34       ~~from which such contribution is to be made have been satisfied.~~

35       ~~4. Under section 23.253 of the Missouri sunset act:~~

36       ~~(1) The provisions of the new program authorized under this section shall~~  
37       ~~automatically sunset on December thirty-first six years after August 28, 2011,~~  
38       ~~unless reauthorized by an act of the general assembly; and~~

39       ~~(2) If such program is reauthorized, the program authorized under this~~  
40       ~~section shall automatically sunset on December thirty-first twelve years after the~~  
41       ~~effective date of the reauthorization of this section; and~~

42       ~~(3) This section shall terminate on September first of the calendar year~~  
43       ~~immediately following the calendar year in which the program authorized under~~  
44       ~~this section is sunset.]~~

45

46 EXPLANATION: This section sunset 12-31-2017. NOTE: A Sunset Review  
47 Report on this section was sent to the Joint Committee on Legislative Research  
48 in September 2016.  
49

~~[143.1014. 1. For all taxable years beginning on or after January 1, 2011,  
2 each individual or corporation entitled to a tax refund in an amount sufficient to  
3 make a designation under this section may designate that one dollar or any  
4 amount in excess of one dollar on a single return, and two dollars or any amount  
5 in excess of two dollars on a combined return, of the refund due be credited to the  
6 puppy protection trust fund. If any individual or corporation that is not entitled  
7 to a tax refund in an amount sufficient to make a designation under this section  
8 wishes to make a contribution to the fund, such individual or corporation may,  
9 by separate check, draft, or other negotiable instrument, send in with the payment  
10 of taxes, or may send in separately, that amount the individual or corporation  
11 wishes to contribute. Such amounts shall be clearly designated for the fund.~~

~~12 2. There is hereby created in the state treasury the "Puppy Protection  
13 Trust Fund", which shall consist of money collected under this section. The state  
14 treasurer shall be custodian of the fund. In accordance with sections 30.170 and  
15 30.180, the state treasurer may approve disbursements. The fund shall be a  
16 dedicated fund and, upon appropriation, money in the fund shall be used solely  
17 for the state department of agriculture's administration of section 273.345.  
18 Notwithstanding the provisions of section 33.080 to the contrary, any moneys  
19 remaining in the fund at the end of the biennium shall not revert to the credit of  
20 the general revenue fund. The state treasurer shall invest moneys in the fund in  
21 the same manner as other funds are invested. Any interest and moneys earned on  
22 such investments shall be credited to the fund. All moneys credited to the trust  
23 fund shall be considered nonstate funds under Section 15, Article IV,  
24 Constitution of Missouri. The treasurer shall distribute all moneys deposited in  
25 the fund at times the treasurer deems appropriate to the department of agriculture.~~

~~26 3. The director of revenue shall deposit at least monthly all contributions  
27 designated by individuals under this section to the state treasurer for deposit to  
28 the fund. The director of revenue shall deposit at least monthly all contributions  
29 designated by the corporations under this section, less an amount sufficient to  
30 cover the costs of collection and handling by the department of revenue, to the  
31 state treasury for deposit to the fund. A contribution designated under this  
32 section shall only be deposited in the fund after all other claims against the refund  
33 from which such contribution is to be made have been satisfied.~~

~~34 4. Under section 23.253 of the Missouri sunset act:~~

~~35 (1) The provisions of the new program authorized under this section shall  
36 automatically sunset on December thirty-first six years after August 28, 2011,  
37 unless reauthorized by an act of the general assembly; and~~

38 ~~————— (2) If such program is reauthorized, the program authorized under this~~  
39 ~~section shall automatically sunset on December thirty-first twelve years after the~~  
40 ~~effective date of the reauthorization of this section, and~~

41 ~~————— (3) This section shall terminate on September first of the calendar year~~  
42 ~~immediately following the calendar year in which the program authorized under~~  
43 ~~this section is sunset.]~~

44

45 EXPLANATION: This section sunset 12-31-2017. NOTE: A Sunset Review  
46 Report on this section was sent to the Joint Committee on Legislative Research  
47 in September 2016.

48

2 ~~[143.1017. 1. For all taxable years beginning on or after January 1, 2011,~~  
3 ~~each individual or corporation entitled to a tax refund in an amount sufficient to~~  
4 ~~make a designation under this section may designate that one dollar or any~~  
5 ~~amount in excess of one dollar on a single return, and two dollars or any amount~~  
6 ~~in excess of two dollars on a combined return, of the refund due be credited to the~~  
7 ~~developmental disabilities waiting list equity trust fund. If any individual or~~  
8 ~~corporation that is not entitled to a tax refund in an amount sufficient to make a~~  
9 ~~designation under this section wishes to make a contribution to the fund, such~~  
10 ~~individual or corporation may, by separate check, draft, or other negotiable~~  
11 ~~instrument, send in with the payment of taxes, or may send in separately, that~~  
12 ~~amount the individual or corporation wishes to contribute. Such amounts shall~~  
13 ~~be clearly designated for the fund.~~

14 ~~————— 2. There is hereby created in the state treasury the "Developmental~~  
15 ~~Disabilities Waiting List Equity Trust Fund", which shall consist of money~~  
16 ~~collected under this section. The state treasurer shall be custodian of the fund.~~  
17 ~~In accordance with sections 30.170 and 30.180, the state treasurer may approve~~  
18 ~~disbursements. The fund shall be a dedicated fund and, upon appropriation,~~  
19 ~~money in the fund shall be used solely for the administration of this section and~~  
20 ~~for providing community services and support to people with developmental~~  
21 ~~disabilities and such person's families who are on the developmental disabilities~~  
22 ~~waiting list and are eligible for but not receiving services. Notwithstanding the~~  
23 ~~provisions of section 33.080 to the contrary, any moneys remaining in the fund~~  
24 ~~at the end of the biennium shall not revert to the credit of the general revenue~~  
25 ~~fund. The state treasurer shall invest moneys in the fund in the same manner as~~  
26 ~~other funds are invested. Any interest and moneys earned on such investments~~  
27 ~~shall be credited to the fund. All moneys credited to the trust fund shall be~~  
28 ~~considered nonstate funds under Section 15, Article IV, Constitution of Missouri.~~  
29 ~~The treasurer shall distribute all moneys deposited in the fund at times the~~  
30 ~~treasurer deems appropriate to the department of mental health. The moneys in~~  
31 ~~the developmental disabilities waiting list equity trust fund established in this~~  
~~subsection shall not be appropriated in lieu of general state revenues.~~



32 ~~3. The director of revenue shall deposit at least monthly all contributions~~  
 33 ~~designated by individuals under this section to the state treasurer for deposit to~~  
 34 ~~the fund. The director of revenue shall deposit at least monthly all contributions~~  
 35 ~~designated by the corporations under this section, less an amount sufficient to~~  
 36 ~~cover the costs of collection and handling by the department of revenue, to the~~  
 37 ~~state treasury for deposit to the fund. A contribution designated under this~~  
 38 ~~section shall only be deposited in the fund after all other claims against the refund~~  
 39 ~~from which such contribution is to be made have been satisfied.~~

40 ~~4. Under section 23.253 of the Missouri sunset act:~~

41 ~~(1) The provisions of the new program authorized under this section shall~~  
 42 ~~automatically sunset on December thirty-first six years after August 28, 2011,~~  
 43 ~~unless reauthorized by an act of the general assembly; and~~

44 ~~(2) If such program is reauthorized, the program authorized under this~~  
 45 ~~section shall automatically sunset on December thirty-first twelve years after the~~  
 46 ~~effective date of the reauthorization of this section; and~~

47 ~~(3) This section shall terminate on September first of the calendar year~~  
 48 ~~immediately following the calendar year in which the program authorized under~~  
 49 ~~this section is sunset.]~~

50

51 EXPLANATION: This section sunset 12-31-2017. NOTE: A Sunset Review  
 52 Report on this section was sent to the Joint Committee on Legislative Research  
 53 in September 2016.

54

2 ~~[161.825. 1. This section shall be known and may be cited as "Bryce's~~  
 3 ~~Law".~~

4 ~~2. As used in this section, the following terms mean:~~

5 ~~(1) "Autism spectrum disorder", pervasive developmental disorder;~~  
 6 ~~Asperger syndrome; childhood disintegrative disorder; Rett syndrome; and~~  
 7 ~~autism;~~

8 ~~(2) "Contribution", a donation of cash, stock, bonds, or other marketable~~  
 9 ~~securities, or real property;~~

10 ~~(3) "Department", the department of elementary and secondary education;~~

11 ~~(4) "Director", the commissioner of education;~~

12 ~~(5) "Dyslexia therapy", an appropriate specialized dyslexia instructional~~  
 13 ~~program that is systematic, multisensory, and research-based offered in a small~~  
 14 ~~group setting to teach students the components of reading instruction including~~  
 15 ~~but not limited to phonemic awareness, graphophonemic knowledge,~~  
 16 ~~morphology, semantics, syntax, and pragmatics, instruction on linguistic~~  
 17 ~~proficiency and fluency with patterns of language so that words and sentences are~~  
 18 ~~carriers of meaning, and strategies that students use for decoding, encoding, word~~  
 recognition, fluency and comprehension delivered by qualified personnel;

- 19 ~~————— (6) "Educational scholarships", grants to students or children to cover all~~  
20 ~~or part of the tuition and fees at a qualified nonpublic school, a qualified public~~  
21 ~~school, or a qualified service provider, including transportation;~~
- 22 ~~————— (7) "Eligible child", any child from birth to age five living in Missouri~~  
23 ~~who has an individualized family services program under the first steps program;~~  
24 ~~sections 160.900 to 160.933, and whose parent or guardian has completed the~~  
25 ~~complaint procedure under the Individuals with Disabilities Education Act, Part~~  
26 ~~C, and has received an unsatisfactory response; or any child from birth to age five~~  
27 ~~who has been evaluated for qualifying needs as defined in this section by a person~~  
28 ~~qualified to perform evaluations under the first steps program and has been~~  
29 ~~determined to have a qualifying need but who falls below the threshold for~~  
30 ~~eligibility by no less than twenty-five percent;~~
- 31 ~~————— (8) "Eligible student", any elementary or secondary student who attended~~  
32 ~~public school in Missouri the preceding semester, or who will be attending school~~  
33 ~~in Missouri for the first time, who has an individualized education program based~~  
34 ~~on a qualifying needs condition or who has a medical or clinical diagnosis by a~~  
35 ~~qualified health professional of a qualifying needs condition which in the case of~~  
36 ~~dyslexia, may be based on the C-TOPP assessment as an initial indicator of~~  
37 ~~dyslexia and confirmed by further medical or clinical diagnosis;~~
- 38 ~~————— (9) "Parent", includes a guardian, custodian, or other person with~~  
39 ~~authority to act on behalf of the student or child;~~
- 40 ~~————— (10) "Program", the program established in this section;~~
- 41 ~~————— (11) "Qualified health professional", a person licensed under chapter 334~~  
42 ~~or 337 who possesses credentials as described in rules promulgated jointly by the~~  
43 ~~department of elementary and secondary education and the department of mental~~  
44 ~~health to make a diagnosis of a student's qualifying needs for this program;~~
- 45 ~~————— (12) "Qualified school", either an accredited public elementary or~~  
46 ~~secondary school in a district that is accredited without provision outside of the~~  
47 ~~district in which a student resides or an accredited nonpublic elementary or~~  
48 ~~secondary school in Missouri that complies with all of the requirements of the~~  
49 ~~program and complies with all state laws that apply to nonpublic schools~~  
50 ~~regarding criminal background checks for employees and excludes from~~  
51 ~~employment any person not permitted by state law to work in a nonpublic school;~~
- 52 ~~————— (13) "Qualified service provider", a person or agency authorized by the~~  
53 ~~department to provide services under the first steps program, sections 160.900 to~~  
54 ~~160.933, and in the case of a provider offering dyslexia therapy, the term also~~  
55 ~~includes a person with national certification as an academic language therapist;~~
- 56 ~~————— (14) "Qualifying needs", an autism spectrum disorder, Down Syndrome,~~  
57 ~~Angelman Syndrome, cerebral palsy, or dyslexia;~~
- 58 ~~————— (15) "Scholarship granting organization", a charitable organization that:~~  
59 ~~————— (a) Is exempt from federal income tax;~~  
60 ~~————— (b) Complies with the requirements of this program;~~

61 ~~\_\_\_\_\_ (c) Provides education scholarships to students attending qualified~~  
62 ~~schools of their parents' choice or to children receiving services from qualified~~  
63 ~~service providers; and~~

64 ~~\_\_\_\_\_ (d) Does not accept contributions on behalf of any eligible student or~~  
65 ~~eligible child from any donor with any obligation to provide any support for the~~  
66 ~~eligible student or eligible child.~~

67 ~~\_\_\_\_\_ 3. The department of elementary and secondary education shall develop~~  
68 ~~a master list of resources available to the parents of children with an autism~~  
69 ~~spectrum disorder or dyslexia and shall maintain a web page for the information.~~  
70 ~~The department shall also actively seek financial resources in the form of grants~~  
71 ~~and donations that may be devoted to scholarship funds or to clinical trials for~~  
72 ~~behavioral interventions that may be undertaken by qualified service providers.~~  
73 ~~The department may contract out or delegate these duties to a nonprofit~~  
74 ~~organization. Priority in referral for funding shall be given to children who have~~  
75 ~~not yet entered elementary school.~~

76 ~~\_\_\_\_\_ 4. The director shall determine, at least annually, which organizations in~~  
77 ~~this state may be classified as scholarship granting organizations. The director~~  
78 ~~may require of an organization seeking to be classified as a scholarship granting~~  
79 ~~organization whatever information that is reasonably necessary to make such a~~  
80 ~~determination. The director shall classify an organization as a scholarship~~  
81 ~~granting organization if such organization meets the definition set forth in this~~  
82 ~~section.~~

83 ~~\_\_\_\_\_ 5. The director shall establish a procedure by which a donor can~~  
84 ~~determine if an organization has been classified as a scholarship granting~~  
85 ~~organization. Scholarship granting organizations shall be permitted to decline a~~  
86 ~~contribution from a donor.~~

87 ~~\_\_\_\_\_ 6. Each scholarship granting organization shall provide information to~~  
88 ~~the director concerning the identity of each donor making a contribution to the~~  
89 ~~scholarship granting organization.~~

90 ~~\_\_\_\_\_ 7. (1) The director shall annually make a determination on the number~~  
91 ~~of students in Missouri with an individualized education program based upon~~  
92 ~~qualifying needs as defined in this section. The director shall use ten percent of~~  
93 ~~this number to determine the maximum number of students to receive~~  
94 ~~scholarships from a scholarship granting organization in that year for students~~  
95 ~~with qualifying needs who have at the time of application an individualized~~  
96 ~~education program, plus a number calculated by the director by applying the~~  
97 ~~state's latest available autism, cerebral palsy, Down Syndrome, Angelman~~  
98 ~~Syndrome, and dyslexia incidence rates to the state's population of children from~~  
99 ~~age five to nineteen who are not enrolled in public schools and taking ten percent~~  
100 ~~of that number. The total of these two calculations shall constitute the maximum~~  
101 ~~number of scholarships available to students.~~

102 ~~\_\_\_\_\_ (2) The director shall also annually make a determination on the number~~  
103 ~~of children in Missouri whose parent or guardian has enrolled the child in first~~

104 ~~steps, received an individualized family services program based on qualifying~~  
105 ~~needs, and filed a complaint through the Individuals with Disabilities Education~~  
106 ~~Act, Part C, and received an unsatisfactory response. In addition to this number,~~  
107 ~~the director shall apply the latest available autism, cerebral palsy, Down~~  
108 ~~Syndrome, Angelman Syndrome, and dyslexia incidence rates to the latest~~  
109 ~~available census information for children from birth to age five and determine ten~~  
110 ~~percent of that number for the maximum number of scholarships for children.~~

111 ~~————— (3) The director shall publicly announce the number of each category of~~  
112 ~~scholarship opportunities available each year. Once a scholarship granting~~  
113 ~~organization has decided to provide a student or child with a scholarship, it shall~~  
114 ~~promptly notify the director. The director shall keep a running tally of the~~  
115 ~~number of scholarships granted in the order in which they were reported. Once~~  
116 ~~the tally reaches the annual limit of scholarships for eligible students or children,~~  
117 ~~the director shall notify all of the participating scholarship granting organizations~~  
118 ~~that they shall not issue any more scholarships and any more receipts for~~  
119 ~~contributions. If the scholarship granting organizations have not expended all of~~  
120 ~~their available scholarship funds in that year at the time when the limit is reached,~~  
121 ~~the available scholarship funds may be carried over into the next year. These~~  
122 ~~unexpended funds shall not be counted as part of the requirement in subdivision~~  
123 ~~(3) of subsection 8 of this section for that year. Any receipt for a scholarship~~  
124 ~~contribution issued by a scholarship granting organization before the director has~~  
125 ~~publicly announced the student or child limit has been reached shall be valid.~~  
126 ~~Beginning with school year 2016-17, the director may adjust the allocation of the~~  
127 ~~proportion of scholarships using information on unmet need and use patterns~~  
128 ~~from the previous school years. The director shall provide notice of the change~~  
129 ~~to the state board of education for its approval.~~

130 ~~————— 8. Each scholarship granting organization participating in the program~~  
131 ~~shall:~~

132 ~~————— (1) Notify the department of its intent to provide educational scholarships~~  
133 ~~to students attending qualified schools or children receiving services from~~  
134 ~~qualified service providers;~~

135 ~~————— (2) Provide a department-approved receipt to donors for contributions~~  
136 ~~made to the organization;~~

137 ~~————— (3) Ensure that at least ninety percent of its revenue from donations is~~  
138 ~~spent on educational scholarships, and that all revenue from interest or~~  
139 ~~investments is spent on educational scholarships;~~

140 ~~————— (4) Ensure that the scholarships provided do not exceed an average of~~  
141 ~~twenty thousand dollars per eligible child or fifty thousand dollars per eligible~~  
142 ~~student;~~

143 ~~————— (5) Inform the parent or guardian of the student or child applying for a~~  
144 ~~scholarship that accepting the scholarship is tantamount to a parentally placed~~  
145 ~~private school student pursuant to 34 CFR 300.130 and, thus, neither the~~  
146 ~~department nor any Missouri public school is responsible to provide the student~~

147 ~~with a free appropriate public education pursuant to the Individuals with~~  
148 ~~Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973;~~  
149 ~~————— (6) Distribute periodic scholarship payments as checks made out to a~~  
150 ~~student's or child's parent and mailed to the qualified school where the student is~~  
151 ~~enrolled or qualified service provider used by the child. The parent or guardian~~  
152 ~~shall endorse the check before it can be deposited;~~  
153 ~~————— (7) Cooperate with the department to conduct criminal background~~  
154 ~~checks on all of its employees and board members and exclude from employment~~  
155 ~~or governance any individual who might reasonably pose a risk to the appropriate~~  
156 ~~use of contributed funds;~~  
157 ~~————— (8) Ensure that scholarships are portable during the school year and can~~  
158 ~~be used at any qualified school that accepts the eligible student or at a different~~  
159 ~~qualified service provider for an eligible child according to a parent's wishes. If~~  
160 ~~a student moves to a new qualified school during a school year or to a different~~  
161 ~~qualified service provider for an eligible child, the scholarship amount may be~~  
162 ~~prorated;~~  
163 ~~————— (9) Demonstrate its financial accountability by:~~  
164 ~~————— (a) Submitting a financial information report for the organization that~~  
165 ~~complies with uniform financial accounting standards established by the~~  
166 ~~department and conducted by a certified public accountant; and~~  
167 ~~————— (b) Having the auditor certify that the report is free of material~~  
168 ~~misstatements;~~  
169 ~~————— (10) Demonstrate its financial viability, if the organization is to receive~~  
170 ~~donations of fifty thousand dollars or more during the school year, by filing with~~  
171 ~~the department before the start of the school year.~~  
172 ~~————— (a) A surety bond payable to the state in an amount equal to the aggregate~~  
173 ~~amount of contributions expected to be received during the school year; or~~  
174 ~~————— (b) Financial information that demonstrates the financial viability of the~~  
175 ~~scholarship granting organization.~~  
176 ~~————— 9. Each scholarship granting organization shall ensure that each~~  
177 ~~participating school or service provider that accepts its scholarship students or~~  
178 ~~children shall:~~  
179 ~~————— (1) Comply with all health and safety laws or codes that apply to~~  
180 ~~nonpublic schools or service providers;~~  
181 ~~————— (2) Hold a valid occupancy permit if required by its municipality;~~  
182 ~~————— (3) Certify that it will comply with 42 U.S.C. Section 1981, as amended;~~  
183 ~~————— (4) Provide academic accountability to parents of the students or children~~  
184 ~~in the program by regularly reporting to the parent on the student's or child's~~  
185 ~~progress;~~  
186 ~~————— (5) Certify that in providing any educational services or behavior~~  
187 ~~strategies to a scholarship recipient with a medical or clinical diagnosis of or an~~  
188 ~~individualized education program based upon autism spectrum disorder it will:~~

- 189 ~~\_\_\_\_\_ (a) Adhere to the best practices recommendations of the Missouri Autism~~  
190 ~~Guidelines Initiative or document why it is varying from the guidelines;~~
- 191 ~~\_\_\_\_\_ (b) Not use any evidence-based interventions that have been found~~  
192 ~~ineffective by the Centers for Medicare and Medicaid Services as described in the~~  
193 ~~Missouri Autism Guidelines Initiative guide to evidence-based interventions; and~~
- 194 ~~\_\_\_\_\_ (c) Provide documentation in the student's or child's record of the~~  
195 ~~rationale for the use of any intervention that is categorized as unestablished;~~  
196 ~~insufficient evidence, or level 3 by the Missouri Autism Guidelines Initiative~~  
197 ~~guide to evidence-based interventions; and~~
- 198 ~~\_\_\_\_\_ (6) Certify that in providing any educational services or behavior~~  
199 ~~strategies to a scholarship recipient with a medical or clinical diagnosis of, or an~~  
200 ~~individualized family services program based upon Down Syndrome, Angelman~~  
201 ~~Syndrome, cerebral palsy, or dyslexia, it will use student, teacher, teaching, and~~  
202 ~~school influences that rank in the zone of desired effects in the meta-analysis of~~  
203 ~~John Hattie, or equivalent analyses as determined by the department, or document~~  
204 ~~why it is using a method that has not been determined by analysis to rank in the~~  
205 ~~zone of desired effects.~~
- 206 ~~\_\_\_\_\_ 10. Scholarship granting organizations shall not provide educational~~  
207 ~~scholarships for students to attend any school or children to receive services from~~  
208 ~~any qualified service provider with paid staff or board members who are relatives~~  
209 ~~within the first degree of consanguinity or affinity.~~
- 210 ~~\_\_\_\_\_ 11. A scholarship granting organization shall publicly report to the~~  
211 ~~department, by June first of each year, the following information prepared by a~~  
212 ~~certified public accountant regarding its grants in the previous calendar year:~~
- 213 ~~\_\_\_\_\_ (1) The name and address of the scholarship granting organization;~~
- 214 ~~\_\_\_\_\_ (2) The total number and total dollar amount of contributions received~~  
215 ~~during the previous calendar year; and~~
- 216 ~~\_\_\_\_\_ (3) The total number and total dollar amount of educational scholarships~~  
217 ~~awarded during the previous calendar year, including the category of each~~  
218 ~~scholarship, and the total number and total dollar amount of educational~~  
219 ~~scholarships awarded during the previous year to students eligible for free and~~  
220 ~~reduced lunch.~~
- 221 ~~\_\_\_\_\_ 12. The department shall adopt rules and regulations consistent with this~~  
222 ~~section as necessary to implement the program.~~
- 223 ~~\_\_\_\_\_ 13. The department shall provide a standardized format for a receipt to~~  
224 ~~be issued by a scholarship granting organization to a donor to indicate the value~~  
225 ~~of a contribution received.~~
- 226 ~~\_\_\_\_\_ 14. The department shall provide a standardized format for scholarship~~  
227 ~~granting organizations to report the information in this section.~~
- 228 ~~\_\_\_\_\_ 15. The department may conduct either a financial review or audit of a~~  
229 ~~scholarship granting organization.~~
- 230 ~~\_\_\_\_\_ 16. If the department believes that a scholarship granting organization~~  
231 ~~has intentionally and substantially failed to comply with the requirements of this~~

232 ~~section, the department may hold a hearing before the director or the director's~~  
233 ~~designee to bar a scholarship granting organization from participating in the~~  
234 ~~program. The director or the director's designee shall issue a decision within~~  
235 ~~thirty days. A scholarship granting organization may appeal the director's~~  
236 ~~decision to the administrative hearing commission for a hearing in accordance~~  
237 ~~with the provisions of chapter 621.~~

238 ~~17. If the scholarship granting organization is barred from participating~~  
239 ~~in the program, the department shall notify affected scholarship students or~~  
240 ~~children and their parents of this decision within fifteen days.~~

241 ~~18. Any rule or portion of a rule, as that term is defined in section~~  
242 ~~536.010, that is created under the authority delegated in this section shall become~~  
243 ~~effective only if it complies with and is subject to all of the provisions of chapter~~  
244 ~~536 and, if applicable, section 536.028. This section and chapter 536 are~~  
245 ~~nonseverable and if any of the powers vested with the general assembly pursuant~~  
246 ~~to chapter 536 to review, to delay the effective date, or to disapprove and annul~~  
247 ~~a rule are subsequently held unconstitutional, then the grant of rulemaking~~  
248 ~~authority and any rule proposed or adopted after August 28, 2013, shall be invalid~~  
249 ~~and void.~~

250 ~~19. The department shall conduct a study of the program with funds other~~  
251 ~~than state funds. The department may contract with one or more qualified~~  
252 ~~researchers who have previous experience evaluating similar programs. The~~  
253 ~~department may accept grants to assist in funding this study.~~

254 ~~20. The study shall assess:~~

255 ~~(1) The level of participating students' and children's satisfaction with the~~  
256 ~~program in a manner suitable to the student or child;~~

257 ~~(2) The level of parental satisfaction with the program;~~

258 ~~(3) The percentage of participating students who were bullied or harassed~~  
259 ~~because of their special needs status at their resident school district compared to~~  
260 ~~the percentage so bullied or harassed at their qualified school;~~

261 ~~(4) The percentage of participating students who exhibited behavioral~~  
262 ~~problems at their resident school district compared to the percentage exhibiting~~  
263 ~~behavioral problems at their qualified school;~~

264 ~~(5) The class size experienced by participating students at their resident~~  
265 ~~school district and at their qualified school; and~~

266 ~~(6) The fiscal impact to the state and resident school districts of the~~  
267 ~~program.~~

268 ~~21. The study shall be completed using appropriate analytical and~~  
269 ~~behavioral sciences methodologies to ensure public confidence in the study.~~

270 ~~22. The department shall provide the general assembly with a final copy~~  
271 ~~of the evaluation of the program by December 31, 2016.~~

272 ~~23. The public and nonpublic participating schools and service providers~~  
273 ~~from which students transfer to participate in the program shall cooperate with~~

274 ~~the research effort by providing student or child assessment instrument scores and~~  
 275 ~~any other data necessary to complete this study.~~

276 ~~24. The general assembly may require periodic updates on the status of~~  
 277 ~~the study from the department. The individuals completing the study shall make~~  
 278 ~~their data and methodology available for public review while complying with the~~  
 279 ~~requirements of the Family Educational Rights and Privacy Act, as amended.~~

280 ~~25. Under section 23.253 of the Missouri sunset act.~~

281 ~~(1) The provisions of the new program authorized under this section shall~~  
 282 ~~sunset automatically on December 31, 2019, unless reauthorized by an act of the~~  
 283 ~~general assembly, and~~

284 ~~(2) If such program is reauthorized, the program authorized under this~~  
 285 ~~section shall sunset automatically on December 31, 2031, and~~

286 ~~(3) This section shall terminate on December thirty-first of the calendar~~  
 287 ~~year immediately following the calendar year in which the program authorized~~  
 288 ~~under this section is sunset.]~~

289

290 EXPLANATION: This section has sunset 12-31-2019. NOTE: A Sunset  
 291 Review Report on this section was voted on by the Joint Committee on  
 292 Legislative Research on 9-10-2019.

293

2 ~~[161.1055. 1. Subject to appropriations, the department of elementary~~  
 3 ~~and secondary education shall establish the "Trauma-Informed Schools Pilot~~  
 4 ~~Program".~~

5 ~~2. Under the trauma-informed schools pilot program, the department of~~  
 6 ~~elementary and secondary education shall choose five schools to receive intensive~~  
 7 ~~training on the trauma-informed approach.~~

8 ~~3. The five schools chosen for the pilot program shall be located in the~~  
 9 ~~following areas:~~

10 ~~(1) One public school located in a metropolitan school district;~~

11 ~~(2) One public school located in a home rule city with more than four~~  
 12 ~~hundred thousand inhabitants and located in more than one county;~~

13 ~~(3) One public school located in a school district that has most or all of~~  
 14 ~~its land area located in a county with a charter form of government and with more~~  
 15 ~~than nine hundred fifty thousand inhabitants;~~

16 ~~(4) One public school located in a school district that has most or all of~~  
 17 ~~its land area located in a county with a charter form of government and with more~~  
 18 ~~than six hundred thousand but fewer than seven hundred thousand inhabitants;~~  
 19 ~~and~~

20 ~~(5) One public school located in any one of the following counties:~~

21 ~~(a) A county of the third classification without a township form of~~  
 22 ~~government and with more than forty-one thousand but fewer than forty-five~~  
 23 ~~thousand inhabitants;~~



23 ~~————— (b) A county of the third classification without a township form of~~  
24 ~~government and with more than six thousand but fewer than seven thousand~~  
25 ~~inhabitants and with a city of the fourth classification with more than eight~~  
26 ~~hundred but fewer than nine hundred inhabitants as the county seat;~~

27 ~~————— (c) A county of the third classification with a township form of~~  
28 ~~government and with more than thirty-one thousand but fewer than thirty-five~~  
29 ~~thousand inhabitants;~~

30 ~~————— (d) A county of the third classification without a township form of~~  
31 ~~government and with more than fourteen thousand but fewer than sixteen~~  
32 ~~thousand inhabitants and with a city of the third classification with more than five~~  
33 ~~thousand but fewer than six thousand inhabitants as the county seat;~~

34 ~~————— (e) A county of the third classification without a township form of~~  
35 ~~government and with more than eighteen thousand but fewer than twenty~~  
36 ~~thousand inhabitants and with a city of the fourth classification with more than~~  
37 ~~three thousand but fewer than three thousand seven hundred inhabitants as the~~  
38 ~~county seat;~~

39 ~~————— (f) A county of the third classification without a township form of~~  
40 ~~government and with more than eighteen thousand but fewer than twenty~~  
41 ~~thousand inhabitants and with a city of the third classification with more than six~~  
42 ~~thousand but fewer than seven thousand inhabitants as the county seat;~~

43 ~~————— (g) A county of the third classification without a township form of~~  
44 ~~government and with more than fourteen thousand but fewer than sixteen~~  
45 ~~thousand inhabitants and with a city of the fourth classification with more than~~  
46 ~~one thousand nine hundred but fewer than two thousand one hundred inhabitants~~  
47 ~~as the county seat;~~

48 ~~————— (h) A county of the third classification without a township form of~~  
49 ~~government and with more than thirty-seven thousand but fewer than forty-one~~  
50 ~~thousand inhabitants and with a city of the fourth classification with more than~~  
51 ~~eight hundred but fewer than nine hundred inhabitants as the county seat;~~

52 ~~————— (i) A county of the third classification with a township form of~~  
53 ~~government and with more than twenty-eight thousand but fewer than thirty-one~~  
54 ~~thousand inhabitants; or~~

55 ~~————— (j) A county of the third classification without a township form of~~  
56 ~~government and with more than twelve thousand but fewer than fourteen~~  
57 ~~thousand inhabitants and with a city of the fourth classification with more than~~  
58 ~~five hundred but fewer than five hundred fifty inhabitants as the county seat.~~

59 ~~————— 4. The department of elementary and secondary education shall:~~

60 ~~————— (1) Train the teachers and administrators of the five schools chosen for~~  
61 ~~the pilot program regarding the trauma-informed approach and how to become~~  
62 ~~trauma-informed schools;~~

63 ~~————— (2) Provide the five schools with funds to implement the~~  
64 ~~trauma-informed approach; and~~

65 ~~\_\_\_\_\_ (3) Closely monitor the progress of the five schools in becoming~~  
 66 ~~trauma-informed schools and provide further assistance if necessary.~~

67 ~~\_\_\_\_\_ 5. The department of elementary and secondary education shall terminate~~  
 68 ~~the trauma-informed schools pilot program on August 28, 2019. Before~~  
 69 ~~December 31, 2019, the department of elementary and secondary education shall~~  
 70 ~~submit a report to the general assembly that contains the results of the pilot~~  
 71 ~~program, including any benefits experienced by the five schools chosen for the~~  
 72 ~~program.~~

73 ~~\_\_\_\_\_ 6. (1) There is hereby created in the state treasury the "Trauma-Informed~~  
 74 ~~Schools Pilot Program Fund". The fund shall consist of any appropriations to~~  
 75 ~~such fund. The state treasurer shall be custodian of the fund. In accordance with~~  
 76 ~~sections 30.170 and 30.180, the state treasurer may approve disbursements of~~  
 77 ~~public moneys in accordance with distribution requirements and procedures~~  
 78 ~~developed by the department of elementary and secondary education. The fund~~  
 79 ~~shall be a dedicated fund and, upon appropriation, moneys in the fund shall be~~  
 80 ~~used solely for the administration of this section.~~

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

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

87 ~~\_\_\_\_\_ 7. For purposes of this section, the following terms mean:~~

88 ~~\_\_\_\_\_ (1) "Trauma-informed approach", an approach that involves~~  
 89 ~~understanding and responding to the symptoms of chronic interpersonal trauma~~  
 90 ~~and traumatic stress across the lifespan;~~

91 ~~\_\_\_\_\_ (2) "Trauma-informed school", a school that:~~

92 ~~\_\_\_\_\_ (a) Realizes the widespread impact of trauma and understands potential~~  
 93 ~~paths for recovery;~~

94 ~~\_\_\_\_\_ (b) Recognizes the signs and symptoms of trauma in students, teachers,~~  
 95 ~~and staff;~~

96 ~~\_\_\_\_\_ (c) Responds by fully integrating knowledge about trauma into its~~  
 97 ~~policies, procedures, and practices; and~~

98 ~~\_\_\_\_\_ (d) Seeks to actively resist retraumatization.~~

99 ~~\_\_\_\_\_ 8. The provisions of this section shall expire December 31, 2019.]~~

100

101 EXPLANATION: This section expired 12-31-2019.

102

2 ~~[163.024. All moneys received in the Iron County school fund, Reynolds~~  
 3 ~~County school fund, Jefferson County school fund, and Washington County~~  
 4 ~~school fund from the payment of a civil penalty pursuant to a consent decree filed~~  
 5 ~~in the United States district court for the eastern district of Missouri in December,~~  
 6 ~~2011, in the case of United States of America and State of Missouri v. the Doe~~

6 ~~Run Resources Corporation d/b/a "The Doc Run Company," and the Buick~~  
 7 ~~Resource Recycling Facility, LLC, because of environmental violations shall not~~  
 8 ~~be included in any district's local effort figure, as such term is defined in section~~  
 9 ~~163.011. The provisions of this section shall terminate on July 1, 2016.]~~

10  
 11 EXPLANATION: This section expired 7-01-2016.  
 12

~~[167.910. 1. There is hereby established the "Career Readiness Course~~  
 2 ~~Task Force" to explore the possibility of a course covering the topics described~~  
 3 ~~in this section being offered in the public schools to students in eighth grade or~~  
 4 ~~ninth grade. Task force members shall be chosen to represent the geographic~~  
 5 ~~diversity of the state. All task force members shall be appointed before October~~  
 6 ~~31, 2018. The task force members shall be appointed as follows:~~

7 ~~\_\_\_\_\_ (1) A parent of a student attending elementary school, appointed by the~~  
 8 ~~joint committee on education;~~

9 ~~\_\_\_\_\_ (2) A parent of a student attending a grade not lower than the sixth nor~~  
 10 ~~higher than the eighth grade, appointed by the joint committee on education;~~

11 ~~\_\_\_\_\_ (3) A parent of a student attending high school, appointed by the joint~~  
 12 ~~committee on education;~~

13 ~~\_\_\_\_\_ (4) An elementary education professional from an accredited school~~  
 14 ~~district, appointed by the joint committee on education from names submitted by~~  
 15 ~~statewide education employee organizations;~~

16 ~~\_\_\_\_\_ (5) Two education professionals giving instruction in a grade or grades~~  
 17 ~~not lower than the sixth nor higher than the eighth grade in accredited school~~  
 18 ~~districts, appointed by the joint committee on education from names submitted~~  
 19 ~~by statewide education employee organizations;~~

20 ~~\_\_\_\_\_ (6) Two secondary education professionals from accredited school~~  
 21 ~~districts, appointed by the joint committee on education from names submitted~~  
 22 ~~by statewide education employee organizations;~~

23 ~~\_\_\_\_\_ (7) A career and technical education professional who has experience~~  
 24 ~~serving as an advisor to a statewide career and technical education organization;~~  
 25 ~~appointed by a statewide career and technical education organization;~~

26 ~~\_\_\_\_\_ (8) An education professional from an accredited technical high school;~~  
 27 ~~appointed by a statewide career and technical education organization;~~

28 ~~\_\_\_\_\_ (9) A public school board member, appointed by a statewide association~~  
 29 ~~of school boards;~~

30 ~~\_\_\_\_\_ (10) A secondary school principal, appointed by a statewide association~~  
 31 ~~of secondary school principals;~~

32 ~~\_\_\_\_\_ (11) A principal of a school giving instruction in a grade or grades not~~  
 33 ~~lower than the sixth nor higher than the eighth grade, appointed by a statewide~~  
 34 ~~association of secondary school principals;~~

35 ~~\_\_\_\_\_ (12) An elementary school counselor, appointed by a statewide~~  
 36 ~~association of school counselors;~~

- 37 ~~————— (13) Two school counselors from a school giving instruction in a grade~~  
38 ~~or grades not lower than the sixth nor higher than the eighth grade, appointed by~~  
39 ~~a statewide association of school counselors;~~
- 40 ~~————— (14) A secondary school counselor, appointed by a statewide association~~  
41 ~~of school counselors;~~
- 42 ~~————— (15) A secondary school career and college counselor, appointed by a~~  
43 ~~statewide association of school counselors;~~
- 44 ~~————— (16) An apprenticeship professional, appointed by the division of~~  
45 ~~workforce development of economic development;~~
- 46 ~~————— (17) A representative of Missouri Project Lead the Way, appointed by the~~  
47 ~~statewide Project Lead the Way organization;~~
- 48 ~~————— (18) A representative of the state technical college, appointed by the state~~  
49 ~~technical college;~~
- 50 ~~————— (19) A representative of a public community college, appointed by a~~  
51 ~~statewide organization of community colleges; and~~
- 52 ~~————— (20) A representative of a public four-year institution of higher education,~~  
53 ~~appointed by the commissioner of higher education.~~
- 54 ~~————— 2. The members of the task force established under subsection 1 of this~~  
55 ~~section shall elect a chair from among the membership of the task force. The task~~  
56 ~~force shall meet as needed to complete its consideration of the course described~~  
57 ~~in subsection 5 of this section and provide its findings and recommendations as~~  
58 ~~described in subsection 6 of this section. Members of the task force shall serve~~  
59 ~~without compensation. No school district policy or administrative action shall~~  
60 ~~require any education employee member to use personal leave or incur a~~  
61 ~~reduction in pay for participating on the task force.~~
- 62 ~~————— 3. The task force shall hold at least three public hearings to provide an~~  
63 ~~opportunity to receive public testimony including, but not limited to, testimony~~  
64 ~~from educators, local school boards, parents, representatives from business and~~  
65 ~~industry, labor and community leaders, members of the general assembly, and the~~  
66 ~~general public.~~
- 67 ~~————— 4. The department of elementary and secondary education shall provide~~  
68 ~~such legal, research, clerical, and technical services as the task force may require~~  
69 ~~in the performance of its duties.~~
- 70 ~~————— 5. The task force established under subsection 1 of this section shall~~  
71 ~~consider a course that:~~
- 72 ~~————— (1) Gives students an opportunity to explore various career and~~  
73 ~~educational opportunities by:~~
- 74 ~~————— (a) Administering career surveys to students and helping students use~~  
75 ~~Missouri Connections to determine their career interests and develop plans to~~  
76 ~~meet their career goals;~~
- 77 ~~————— (b) Explaining the differences between types of colleges, including~~  
78 ~~two-year and four-year colleges and noting the availability of registered~~  
79 ~~apprenticeship programs as alternatives to college for students;~~

- 80 ~~\_\_\_\_\_ (c) Describing technical degrees offered by colleges;~~
- 81 ~~\_\_\_\_\_ (d) Explaining the courses and educational experiences offered at~~  
82 ~~community colleges;~~
- 83 ~~\_\_\_\_\_ (e) Describing the various certificates and credentials available to earn~~  
84 ~~at the school or other schools including, but not limited to, career and technical~~  
85 ~~education certificates described under section 170.029 and industry-recognized~~  
86 ~~certificates and credentials;~~
- 87 ~~\_\_\_\_\_ (f) Advising students of any advanced placement courses that they may~~  
88 ~~take at the school;~~
- 89 ~~\_\_\_\_\_ (g) Describing any opportunities at the school for dual enrollment;~~
- 90 ~~\_\_\_\_\_ (h) Advising students of any Project Lead the Way courses offered at the~~  
91 ~~school and explaining how Project Lead the Way courses help students learn~~  
92 ~~valuable skills;~~
- 93 ~~\_\_\_\_\_ (i) Informing students of the availability of funding for postsecondary~~  
94 ~~education through the A+ schools program described under section 160.545;~~
- 95 ~~\_\_\_\_\_ (j) Describing the availability of virtual courses;~~
- 96 ~~\_\_\_\_\_ (k) Describing the types of skills and occupations most in demand in the~~  
97 ~~current job market and those skills and occupations likely to be in high demand~~  
98 ~~in future years;~~
- 99 ~~\_\_\_\_\_ (l) Describing the typical salaries for occupations, salary trends, and~~  
100 ~~opportunities for advancement in various occupations;~~
- 101 ~~\_\_\_\_\_ (m) Emphasizing the opportunities available in careers involving science,~~  
102 ~~technology, engineering, and math;~~
- 103 ~~\_\_\_\_\_ (n) Advising students of the resources offered by workforce or job~~  
104 ~~centers;~~
- 105 ~~\_\_\_\_\_ (o) Preparing students for the ACT assessment or the ACT WorkKeys~~  
106 ~~assessments required for the National Career Readiness Certificate;~~
- 107 ~~\_\_\_\_\_ (p) Administering a practice ACT assessment or practice ACT~~  
108 ~~WorkKeys assessments required for the National Career Readiness Certificate to~~  
109 ~~students;~~
- 110 ~~\_\_\_\_\_ (q) Advising students of opportunities to take the SAT and the Armed~~  
111 ~~Services Vocational Aptitude Battery;~~
- 112 ~~\_\_\_\_\_ (r) Administering a basic math test to students so that they can assess~~  
113 ~~their math skills;~~
- 114 ~~\_\_\_\_\_ (s) Administering a basic writing test to students so that they can assess~~  
115 ~~their writing skills;~~
- 116 ~~\_\_\_\_\_ (t) Helping each student prepare a personal plan of study that outlines a~~  
117 ~~sequence of courses and experiences that concludes with the student reaching his~~  
118 ~~or her postsecondary goals; and~~
- 119 ~~\_\_\_\_\_ (u) Explaining how to complete college applications and the Free~~  
120 ~~Application for Federal Student Aid;~~
- 121 ~~\_\_\_\_\_ (2) Focuses on career readiness and emphasizes the importance of work~~  
122 ~~ethic, communication, collaboration, critical thinking, and creativity;~~

123 ~~————— (3) Demonstrates that graduation from a four-year college is not the only~~  
 124 ~~pathway to success by describing to students at least sixteen pathways to success~~  
 125 ~~in detail and including guest visitors who represent each pathway described. In~~  
 126 ~~exploring how these pathways could be covered in the course, the task force shall~~  
 127 ~~consider how instructors for the course may be able to rely on assistance from~~  
 128 ~~Missouri's career pathways within the department of elementary and secondary~~  
 129 ~~education;~~

130 ~~————— (4) Provides student loan counseling; and~~

131 ~~————— (5) May include parent-student meetings.~~

132 ~~————— 6. Before December 1, 2019, the task force established under subsection~~  
 133 ~~1 of this section shall present its findings and recommendations to the speaker of~~  
 134 ~~the house of representatives, the president pro tempore of the senate, the joint~~  
 135 ~~committee on education, and the state board of education. Upon presenting the~~  
 136 ~~findings and recommendations as described in this subsection, the task force shall~~  
 137 ~~dissolve.]~~

138

~~[167.910. 1. There is hereby established the "Career Readiness Course~~  
 2 ~~Task Force" to explore the possibility of a course covering the topics described~~  
 3 ~~in this section being offered in the public schools to students in eighth grade or~~  
 4 ~~ninth grade. Task force members shall be chosen to represent the geographic~~  
 5 ~~diversity of the state. All task force members shall be appointed before October~~  
 6 ~~31, 2018. The task force members shall be appointed as follows:~~

7 ~~————— (1) A parent of a student attending elementary school, appointed by a~~  
 8 ~~statewide association of parents and teachers;~~

9 ~~————— (2) A parent of a student attending a grade not lower than the sixth nor~~  
 10 ~~higher than the eighth grade, appointed by a statewide association of parents and~~  
 11 ~~teachers;~~

12 ~~————— (3) A parent of a student attending high school, appointed by a statewide~~  
 13 ~~association of parents and teachers;~~

14 ~~————— (4) An elementary education professional from an accredited school~~  
 15 ~~district, appointed by agreement among the Missouri State Teachers Association;~~  
 16 ~~the Missouri National Education Association, and the American Federation of~~  
 17 ~~Teachers of Missouri;~~

18 ~~————— (5) An education professional giving instruction in a grade or grades not~~  
 19 ~~lower than the sixth nor higher than the eighth grade in an accredited school~~  
 20 ~~district, appointed by agreement among the Missouri State Teachers Association;~~  
 21 ~~the Missouri National Education Association, and the American Federation of~~  
 22 ~~Teachers of Missouri;~~

23 ~~————— (6) A secondary education professional from an accredited school~~  
 24 ~~district, appointed by agreement among the Missouri State Teachers Association;~~  
 25 ~~the Missouri National Education Association, and the American Federation of~~  
 26 ~~Teachers of Missouri;~~

- 27 ~~————— (7) A career and technical education professional who has experience~~  
28 ~~serving as an advisor to a statewide career and technical education organization;~~  
29 ~~appointed by a statewide career and technical education organization;~~  
30 ~~————— (8) An education professional from an accredited technical high school;~~  
31 ~~appointed by a statewide career and technical education organization;~~  
32 ~~————— (9) A public school board member, appointed by a statewide association~~  
33 ~~of school boards;~~  
34 ~~————— (10) A secondary school principal, appointed by a statewide association~~  
35 ~~of secondary school principals;~~  
36 ~~————— (11) A principal of a school giving instruction in a grade or grades not~~  
37 ~~lower than the sixth nor higher than the eighth grade, appointed by a statewide~~  
38 ~~association of secondary school principals;~~  
39 ~~————— (12) An elementary school counselor, appointed by a statewide~~  
40 ~~association of school counselors;~~  
41 ~~————— (13) A school counselor from a school giving instruction in a grade or~~  
42 ~~grades not lower than the sixth nor higher than the eighth grade, appointed by a~~  
43 ~~statewide association of school counselors;~~  
44 ~~————— (14) A secondary school counselor, appointed by a statewide association~~  
45 ~~of school counselors;~~  
46 ~~————— (15) A secondary school career and college counselor, appointed by a~~  
47 ~~statewide association of school counselors;~~  
48 ~~————— (16) An apprenticeship professional, appointed by the division of~~  
49 ~~workforce development of the department of economic development;~~  
50 ~~————— (17) A representative of Missouri Project Lead the Way, appointed by the~~  
51 ~~statewide Project Lead the Way organization;~~  
52 ~~————— (18) A representative of the State Technical College of Missouri;~~  
53 ~~appointed by the State Technical College of Missouri;~~  
54 ~~————— (19) A representative of a public community college, appointed by a~~  
55 ~~statewide organization of community colleges; and~~  
56 ~~————— (20) A representative of a public four-year institution of higher education;~~  
57 ~~appointed by the commissioner of higher education.~~  
58 ~~————— 2. The members of the task force established under subsection 1 of this~~  
59 ~~section shall elect a chair from among the membership of the task force. The task~~  
60 ~~force shall meet as needed to complete its consideration of the course described~~  
61 ~~in subsection 5 of this section and provide its findings and recommendations as~~  
62 ~~described in subsection 6 of this section. Members of the task force shall serve~~  
63 ~~without compensation. No school district policy or administrative action shall~~  
64 ~~require any education employee member to use personal leave or incur a~~  
65 ~~reduction in pay for participating on the task force.~~  
66 ~~————— 3. The task force shall hold at least three public hearings to provide an~~  
67 ~~opportunity to receive public testimony including, but not limited to, testimony~~  
68 ~~from educators, local school boards, parents, representatives from business and~~

69 industry, labor and community leaders, members of the general assembly, and the  
70 general public:

71 ~~4. The department of elementary and secondary education shall provide~~  
72 ~~such legal, research, clerical, and technical services as the task force may require~~  
73 ~~in the performance of its duties.~~

74 ~~5. The task force established under subsection 1 of this section shall~~  
75 ~~consider a course that:~~

76 ~~(1) Gives students an opportunity to explore various career and~~  
77 ~~educational opportunities by:~~

78 ~~(a) Administering career surveys to students and helping students use~~  
79 ~~Missouri Connections to determine their career interests and develop plans to~~  
80 ~~meet their career goals;~~

81 ~~(b) Explaining the differences between types of colleges, including~~  
82 ~~two-year and four-year colleges, and noting the availability of registered~~  
83 ~~apprenticeship programs as alternatives to college for students;~~

84 ~~(c) Describing technical degrees offered by colleges;~~

85 ~~(d) Explaining the courses and educational experiences offered at~~  
86 ~~community colleges;~~

87 ~~(e) Describing the various certificates and credentials available to earn~~  
88 ~~at the school or other schools including, but not limited to, career and technical~~  
89 ~~education certificates described under section 170.029 and industry-recognized~~  
90 ~~certificates and credentials;~~

91 ~~(f) Advising students of any advanced placement courses that they may~~  
92 ~~take at the school;~~

93 ~~(g) Describing any opportunities at the school for dual enrollment;~~

94 ~~(h) Advising students of any Project Lead the Way courses offered at the~~  
95 ~~school and explaining how Project Lead the Way courses help students learn~~  
96 ~~valuable skills;~~

97 ~~(i) Informing students of the availability of funding for postsecondary~~  
98 ~~education through the A+ schools program described under section 160.545;~~

99 ~~(j) Describing the availability of virtual courses;~~

100 ~~(k) Describing the types of skills and occupations most in demand in the~~  
101 ~~current job market and those skills and occupations likely to be in high demand~~  
102 ~~in future years;~~

103 ~~(l) Describing the typical salaries for occupations, salary trends, and~~  
104 ~~opportunities for advancement in various occupations;~~

105 ~~(m) Emphasizing the opportunities available in careers involving science,~~  
106 ~~technology, engineering, and math;~~

107 ~~(n) Advising students of the resources offered by workforce or job~~  
108 ~~centers;~~

109 ~~(o) Preparing students for the ACT assessment or the ACT WorkKeys~~  
110 ~~assessments required for the National Career Readiness Certificate;~~



- 111 ~~(p) Administering a practice ACT assessment or practice ACT~~  
 112 ~~WorkKeys assessments required for the National Career Readiness Certificate to~~  
 113 ~~students;~~  
 114 ~~(q) Advising students of opportunities to take the SAT and the Armed~~  
 115 ~~Services Vocational Aptitude Battery;~~  
 116 ~~(r) Administering a basic math test to students so that they can assess~~  
 117 ~~their math skills;~~  
 118 ~~(s) Administering a basic writing test to students so that they can assess~~  
 119 ~~their writing skills;~~  
 120 ~~(t) Helping each student prepare a personal plan of study that outlines a~~  
 121 ~~sequence of courses and experiences that concludes with the student reaching his~~  
 122 ~~or her postsecondary goals; and~~  
 123 ~~(u) Explaining how to complete college applications and the Free~~  
 124 ~~Application for Federal Student Aid;~~  
 125 ~~(2) Focuses on career readiness and emphasizes the importance of work~~  
 126 ~~ethic, communication, collaboration, critical thinking, and creativity;~~  
 127 ~~(3) Demonstrates that graduation from a four-year college is not the only~~  
 128 ~~pathway to success by describing to students at least sixteen pathways to success~~  
 129 ~~in detail and including guest visitors who represent each pathway described. In~~  
 130 ~~exploring how these pathways could be covered in the course, the task force shall~~  
 131 ~~consider how instructors for the course may be able to rely on assistance from~~  
 132 ~~Missouri Career Pathways within the department of elementary and secondary~~  
 133 ~~education;~~  
 134 ~~(4) Provides student loan counseling; and~~  
 135 ~~(5) May include parent-student meetings.~~  
 136 ~~6. Before December 1, 2019, the task force established under subsection~~  
 137 ~~1 of this section shall present its findings and recommendations to the speaker of~~  
 138 ~~the house of representatives, the president pro tempore of the senate, the joint~~  
 139 ~~committee on education, and the state board of education. Upon presenting the~~  
 140 ~~findings and recommendations as described in this subsection, the task force shall~~  
 141 ~~dissolve.]~~

142  
 143 EXPLANATION: The task force under this section was dissolved 12-01-2019  
 144 (two versions).  
 145

2 ~~[171.034. Any school district that is eligible to reduce its requirement to~~  
 3 ~~make up days pursuant to subsection 3 of section 171.033 may provide food~~  
 4 ~~service on a summer school food service basis if it resumes school with double~~  
 5 ~~sessions.]~~

6 EXPLANATION: This section became obsolete when subsection 3 of section  
 7 171.033 was repealed in 2014.  
 8

2 ~~[172.287. 1. The University of Missouri shall annually request an~~  
 3 ~~appropriation under capital improvements, subject to availability of funds, for a~~  
 4 ~~program of grants established for the engineering colleges of the University of~~  
 5 ~~Missouri for the purpose of assisting such colleges in the purchase of teaching~~  
 6 ~~and research laboratory equipment exclusive of laboratory or classroom furniture.~~  
 7 ~~The amount granted for each engineering college may not exceed the lesser of an~~  
 8 ~~amount equal to one thousand two hundred dollars per each such bachelor's~~  
 9 ~~degree awarded in the previous fiscal year in all engineering programs currently~~  
 10 ~~accredited by the accreditation board for engineering and technology, or the~~  
 11 ~~dollar value of new funds for equipment purchase which such colleges may~~  
 12 ~~obtain from sources other than state appropriations for laboratory equipment.~~

13 ~~2. For purposes of this section, the fair market value of in-kind~~  
 14 ~~contributions of laboratory equipment to the colleges may be included as funds~~  
 15 ~~for equipment purchase from sources other than state appropriations. In the event~~  
 16 ~~that new funds for laboratory equipment purchase obtained by any college of~~  
 17 ~~engineering from such nonstate sources exceed the amount necessary to reach the~~  
 18 ~~maximum dollar limits herein specified, such excess amounts will be carried over~~  
 19 ~~to the following fiscal year and considered the same as that year's new equipment~~  
 20 ~~funds from nonstate sources.~~

21 ~~3. In the event that the appropriations for this grant program are~~  
 22 ~~insufficient to fund all grants approved for a given fiscal year, all such grants~~  
 23 ~~shall be reduced pro rata as necessary.~~

24 ~~4. The provisions of this section shall terminate on June 30, 2017.]~~

25 EXPLANATION: This section terminated 6-30-2017.  
 26

2 ~~[173.236. 1. As used in this section, unless the context clearly requires~~  
 3 ~~otherwise, the following terms mean:~~

4 ~~(1) "Board", the coordinating board for higher education;~~

5 ~~(2) "Grant", the Vietnam veteran's survivors grant as established in this~~  
 6 ~~section;~~

7 ~~(3) "Institution of postsecondary education", any approved public or~~  
 8 ~~private institution as defined in section 173.205;~~

9 ~~(4) "Survivor", a child or spouse of a Vietnam veteran as defined in this~~  
 10 ~~section;~~

11 ~~(5) "Tuition", any tuition or incidental fee or both charged by an~~  
 12 ~~institution of postsecondary education, as defined in this section, for attendance~~  
 13 ~~at the institution by a student as a resident of this state;~~

14 ~~(6) "Vietnam veteran", a person who served in the military in Vietnam~~  
 15 ~~or the war zone in Southeast Asia and to whom the following criteria shall apply:~~

16 ~~(a) The veteran was a Missouri resident when first entering the military~~  
 17 ~~service and at the time of death;~~

- 17 ~~\_\_\_\_\_ (b) The veteran's death was attributable to illness that could possibly be~~  
18 ~~a result of exposure to toxic chemicals during the Vietnam Conflict; and~~
- 19 ~~\_\_\_\_\_ (c) The veteran served in the Vietnam theater between 1961 and 1972.~~
- 20 ~~\_\_\_\_\_ 2. Within the limits of the amounts appropriated therefor, the~~  
21 ~~coordinating board for higher education shall award annually up to twelve grants~~  
22 ~~to survivors of Vietnam veterans to attend institutions of postsecondary education~~  
23 ~~in this state. If the waiting list of eligible survivors exceeds fifty, the~~  
24 ~~coordinating board may petition the general assembly to expand the quota. If the~~  
25 ~~quota is not expanded the eligibility of survivors on the waiting list shall be~~  
26 ~~extended.~~
- 27 ~~\_\_\_\_\_ 3. A survivor may receive a grant pursuant to this section only so long as~~  
28 ~~the survivor is enrolled in a program leading to a certificate, or an associate or~~  
29 ~~baccalaureate degree. In no event shall a survivor receive a grant beyond the~~  
30 ~~completion of the first baccalaureate degree, regardless of age. No survivor shall~~  
31 ~~receive more than one hundred percent of tuition when combined with similar~~  
32 ~~funds made available to such survivor.~~
- 33 ~~\_\_\_\_\_ 4. The coordinating board for higher education shall:~~
- 34 ~~\_\_\_\_\_ (1) Promulgate all necessary rules and regulations for the implementation~~  
35 ~~of this section;~~
- 36 ~~\_\_\_\_\_ (2) Determine minimum standards of performance in order for a survivor~~  
37 ~~to remain eligible to receive a grant under this program;~~
- 38 ~~\_\_\_\_\_ (3) Make available on behalf of a survivor an amount toward the~~  
39 ~~survivor's tuition which is equal to the grant to which the survivor is entitled~~  
40 ~~under the provisions of this section;~~
- 41 ~~\_\_\_\_\_ (4) Provide the forms and determine the procedures necessary for a~~  
42 ~~survivor to apply for and receive a grant under this program.~~
- 43 ~~\_\_\_\_\_ 5. In order to be eligible to receive a grant pursuant to this section, a~~  
44 ~~survivor shall be certified as eligible by a Missouri state veterans service officer.~~  
45 ~~Such certification shall be made upon qualified medical certification by a~~  
46 ~~Veterans Administration medical authority that exposure to toxic chemicals~~  
47 ~~contributed to or was the cause of death of the veteran, as defined in subsection~~  
48 ~~† of this section.~~
- 49 ~~\_\_\_\_\_ 6. A survivor who is enrolled or has been accepted for enrollment as an~~  
50 ~~undergraduate postsecondary student at an approved institution of postsecondary~~  
51 ~~education shall receive a grant in an amount not to exceed the least of the~~  
52 ~~following:~~
- 53 ~~\_\_\_\_\_ (1) The actual tuition, as defined in this section, charged at an approved~~  
54 ~~institution where the child is enrolled or accepted for enrollment; or~~
- 55 ~~\_\_\_\_\_ (2) The average amount of tuition charged a Missouri resident at the~~  
56 ~~institutions identified in section 174.020 for attendance as a full-time student, as~~  
57 ~~defined in section 173.205.~~
- 58 ~~\_\_\_\_\_ 7. A survivor who is a recipient of a grant may transfer from one~~  
59 ~~approved public or private institution of postsecondary education to another~~

60 without losing his entitlement under this section. The board shall make necessary  
 61 adjustments in the amount of the grant. If a grant recipient at any time withdraws  
 62 from the institution of postsecondary education so that under the rules and  
 63 regulations of that institution he is entitled to a refund of any tuition, fees, or  
 64 other charges, the institution shall pay the portion of the refund to which he is  
 65 entitled attributable to the grant for that semester or similar grading period to the  
 66 board.

67 ~~8. If a survivor is granted financial assistance under any other student aid~~  
 68 ~~program, public or private, the full amount of such aid shall be reported to the~~  
 69 ~~board by the institution and the eligible survivor.~~

70 ~~9. Nothing in this section shall be construed as a promise or guarantee~~  
 71 ~~that a person will be admitted to an institution of postsecondary education or to~~  
 72 ~~a particular institution of postsecondary education, will be allowed to continue~~  
 73 ~~to attend an institution of postsecondary education after having been admitted,~~  
 74 ~~or will be graduated from an institution of postsecondary education.~~

75 ~~10. The benefits conferred by this section shall be available to any~~  
 76 ~~academically qualified surviving children and spouses of Vietnam veterans as~~  
 77 ~~defined in subsection 1 of this section, regardless of the survivor's age, until~~  
 78 ~~December 31, 1995. After December 31, 1995, the benefits conferred by this~~  
 79 ~~section shall not be available to such persons who are twenty-five years of age or~~  
 80 ~~older, except spouses will remain eligible until the fifth anniversary after the~~  
 81 ~~death of the veteran.~~

82 ~~11. This section shall expire on December 31, 2015.]~~

83

84 EXPLANATION: This section expired 12-31-2015.

85

~~[173.680. 1. The department of higher education and workforce~~  
 2 ~~development shall conduct a study to identify the information technology~~  
 3 ~~industry certifications most frequently requested by employers in Missouri. The~~  
 4 ~~department of higher education and workforce development may conduct the~~  
 5 ~~study with the assistance of other state departments and agencies, the Missouri~~  
 6 ~~mathematics and science coalition, and the governor's advisory council on~~  
 7 ~~science, technology, engineering, and mathematical issues.~~

8 ~~2. The department of higher education and workforce development shall~~  
 9 ~~complete the study no later than January 31, 2015. The department shall prepare~~  
 10 ~~the findings in a report and provide it to:~~

- 11 ~~(1) The president pro tempore of the senate;~~
- 12 ~~(2) The speaker of the house of representatives;~~
- 13 ~~(3) The joint committee on education;~~
- 14 ~~(4) The governor;~~
- 15 ~~(5) The coordinating board for higher education; and~~
- 16 ~~(6) The state board of education.]~~

17

18 EXPLANATION: The study under this section was due to be completed by 1-  
19 31-2015.

20

~~[184.384. The district and subdistricts and the officers and employees  
2 thereof shall be subject to the provisions of chapter 296 or any amendment  
3 thereto hereafter enacted.]~~

4

5 EXPLANATION: This section became obsolete when all of the provisions of  
6 Chapter 296 were repealed in 1986.

7

~~[190.450. By December 31, 2017, the department of public safety shall  
2 complete a study of the number of public safety answering points necessary to  
3 provide the best possible 911 technology and service to all areas of the state in  
4 the most efficient and economical manner possible, issue a state public safety  
5 answering point consolidation plan based on the study, and provide such plan to  
6 the Missouri 911 service board.]~~

7

8 EXPLANATION: Study required to be completed by December 31, 2017.

9

~~[191.425. 1. Upon receipt of federal funding in accordance with  
2 subsection 4 of this section, there is hereby established within the department of  
3 health and senior services the "Women's Heart Health Program" to provide heart  
4 disease risk screening to uninsured and underinsured women:~~

5

~~2. The following women shall be eligible for program services:~~

6

~~(1) Women between the ages of thirty-five and sixty-four years;~~

7

~~(2) Women who are receiving breast and cervical cancer screenings  
8 under the Missouri show me healthy women program;~~

9

~~(3) Women who are uninsured or whose insurance does not provide  
10 coverage for heart disease risk screenings; and~~

10

~~(4) Women with a gross family income at or below two hundred percent  
11 of the federal poverty level;~~

12

~~3. The department shall contract with health care providers who are  
13 currently providing services under the Missouri show me healthy women  
14 program to provide screening services under the women's heart health program.  
15 Screening shall include but not be limited to height, weight, and body mass index  
16 (BMI), blood pressure, total cholesterol, HDL, and blood glucose. Any woman  
17 whose screening indicates an increased risk for heart disease shall be referred for  
18 appropriate follow-up health care services and be offered lifestyle education  
19 services to reduce her risk for heart disease.~~

20

~~4. The women's heart health program shall be subject to receipt of federal  
21 funding which designates such funding for heart disease risk screening to  
22 uninsured and underinsured women. In the event that federal funds are not  
23~~

23

24 ~~available for such program, the department shall not be required to establish or~~  
 25 ~~implement the program.~~

26 ~~5. Under section 23.253 of the Missouri sunset act:~~

27 ~~(1) The provisions of the program authorized under this section shall~~  
 28 ~~automatically sunset three years after August 28, 2012, unless reauthorized by an~~  
 29 ~~act of the general assembly; and~~

30 ~~(2) If such program is reauthorized, the program authorized under this~~  
 31 ~~section shall automatically sunset three years after the effective date of the~~  
 32 ~~reauthorization of this section; and~~

33 ~~(3) This section shall terminate on September first of the calendar year~~  
 34 ~~immediately following the calendar year in which the program authorized under~~  
 35 ~~this section is sunset.]~~

36

37 EXPLANATION: This section sunset 8-28-2015. NOTE: A Sunset Review  
 38 Report on this section was sent to the Joint Committee on Legislative Research  
 39 in September 2014.

40

~~[191.743. 1. Any physician or health care provider who provides~~  
 2 ~~services to pregnant women shall identify all such women who are high risk~~  
 3 ~~pregnancies by use of protocols developed by the department of health and senior~~  
 4 ~~services pursuant to section 191.741. The physician or health care provider shall~~  
 5 ~~upon identification inform such woman of the availability of services and the~~  
 6 ~~option of referral to the department of health and senior services:~~

7 ~~2. Upon consent by the woman identified as having a high risk~~  
 8 ~~pregnancy, the physician or health care provider shall make a report, within~~  
 9 ~~seventy-two hours, to the department of health and senior services on forms~~  
 10 ~~approved by the department of health and senior services:~~

11 ~~3. Any physician or health care provider complying with the provisions~~  
 12 ~~of this section, in good faith, shall have immunity from any civil liability that~~  
 13 ~~might otherwise result by reason of such actions:~~

14 ~~4. Referral and associated documentation provided for in this section~~  
 15 ~~shall be confidential and shall not be used in any criminal prosecution:~~

16 ~~5. The consent required by subsection 2 of this section shall be deemed~~  
 17 ~~a waiver of the physician-patient privilege solely for the purpose of making the~~  
 18 ~~report pursuant to subsection 2 of this section.]~~

19

20 EXPLANATION: This section became obsolete when the Perinatal Substance  
 21 Abuse Program was terminated in 2005.

22

~~[191.950. 1. As used in this section, the following terms mean:~~

2 ~~(1) "Department", the department of health and senior services;~~

3 ~~(2) "Economically challenged men", men who have a gross income up~~  
 4 ~~to one hundred fifty percent of the federal poverty level;~~

- 5 ~~\_\_\_\_\_ (3) "Program", the prostate cancer pilot program established in this~~  
6 ~~section;~~
- 7 ~~\_\_\_\_\_ (4) "Rural area", a rural area which is in either any county of the third~~  
8 ~~classification without a township form of government and with more than twenty~~  
9 ~~thousand but fewer than twenty thousand one hundred inhabitants, any county of~~  
10 ~~the second classification with more than nineteen thousand seven hundred but~~  
11 ~~fewer than nineteen thousand eight hundred inhabitants, or any county of the~~  
12 ~~third classification with a township form of government and with more than~~  
13 ~~thirty-three thousand one hundred but fewer than thirty-three thousand two~~  
14 ~~hundred inhabitants;~~
- 15 ~~\_\_\_\_\_ (5) "Uninsured men", men for whom services provided by the program~~  
16 ~~are not covered by private insurance, MO HealthNet or Medicare;~~
- 17 ~~\_\_\_\_\_ (6) "Urban area", an urban area which is located in a city not within a~~  
18 ~~county.~~
- 19 ~~\_\_\_\_\_ 2. Subject to securing a cooperative agreement with a nonprofit entity for~~  
20 ~~funding of the program, there is hereby established within the department of~~  
21 ~~health and senior services two "Prostate Cancer Pilot Programs" to fund prostate~~  
22 ~~cancer screening and treatment services and to provide education to men residing~~  
23 ~~in this state. One prostate cancer pilot program shall be located in an urban area~~  
24 ~~and one prostate cancer pilot program shall be located in a rural area. The~~  
25 ~~department may directly contract with the Missouri Foundation for Health, or a~~  
26 ~~successor entity, in the delivery of the pilot program. For purposes of this~~  
27 ~~section, the contracting process of the department with these entities need not be~~  
28 ~~governed by the provisions of chapter 34.~~
- 29 ~~\_\_\_\_\_ 3. The program shall be open to:~~
- 30 ~~\_\_\_\_\_ (1) Uninsured men or economically challenged men who are at least fifty~~  
31 ~~years old; and~~
- 32 ~~\_\_\_\_\_ (2) On the advice of a physician or at the request of the individual,~~  
33 ~~uninsured men or economically challenged men who are at least thirty-five years~~  
34 ~~of age but less than fifty years of age and who are at high risk for prostate cancer.~~
- 35 ~~\_\_\_\_\_ 4. The program shall provide:~~
- 36 ~~\_\_\_\_\_ (1) Prostate cancer screening;~~
- 37 ~~\_\_\_\_\_ (2) Referral services, including services necessary for diagnosis;~~
- 38 ~~\_\_\_\_\_ (3) Treatment services for individuals who are diagnosed with prostate~~  
39 ~~cancer after being screened; and~~
- 40 ~~\_\_\_\_\_ (4) Outreach and education activities to ensure awareness and utilization~~  
41 ~~of program services by uninsured men and economically challenged men.~~
- 42 ~~\_\_\_\_\_ 5. Upon appropriation, the department shall distribute grants to~~  
43 ~~administer the program to:~~
- 44 ~~\_\_\_\_\_ (1) Local health departments; and~~
- 45 ~~\_\_\_\_\_ (2) Federally qualified health centers.~~

46 ~~6. Three years from the date on which the grants were first administered~~  
 47 ~~under this section, the department shall report to the governor and general~~  
 48 ~~assembly.~~

49 ~~(1) The number of individuals screened and treated under the program,~~  
 50 ~~including racial and ethnic data on the individuals who were screened and~~  
 51 ~~treated; and~~

52 ~~(2) To the extent possible, any cost savings achieved by the program as~~  
 53 ~~a result of early detection of prostate cancer.~~

54 ~~7. The department shall promulgate rules to establish guidelines~~  
 55 ~~regarding eligibility for the program and to implement the provisions of this~~  
 56 ~~section. Any rule or portion of a rule, as that term is defined in section 536.010,~~  
 57 ~~that is created under the authority delegated in this section shall become effective~~  
 58 ~~only if it complies with and is subject to all of the provisions of chapter 536 and,~~  
 59 ~~if applicable, section 536.028. This section and chapter 536 are nonseverable and~~  
 60 ~~if any of the powers vested with the general assembly pursuant to chapter 536 to~~  
 61 ~~review, to delay the effective date, or to disapprove and annul a rule are~~  
 62 ~~subsequently held unconstitutional, then the grant of rulemaking authority and~~  
 63 ~~any rule proposed or adopted after August 28, 2011, shall be invalid and void.~~

64 ~~8. Under and pursuant to section 23.253 of the Missouri sunset act:~~

65 ~~(1) The provisions of the new program authorized under this section shall~~  
 66 ~~automatically sunset six years after August 28, 2011, unless reauthorized by an~~  
 67 ~~act of the general assembly; and~~

68 ~~(2) If such program is reauthorized, the program authorized under this~~  
 69 ~~section shall automatically sunset six years after the effective date of the~~  
 70 ~~reauthorization of this section; and~~

71 ~~(3) This section shall terminate on September first of the calendar year~~  
 72 ~~immediately following the calendar year in which the program authorized under~~  
 73 ~~this section is sunset.]~~

74  
 75 EXPLANATION: This section sunset 8-28-2017 (report is due 3 years from the  
 76 date of grants under subsection 6). NOTE: A Sunset Review Report on this  
 77 section was sent to the Joint Committee on Legislative Research in September  
 78 2016.

79

2 ~~[192.926. 1. By September 1, 2015, the department of social services in~~  
 3 ~~cooperation with the department of health and senior services and the department~~  
 4 ~~of mental health shall establish a committee to assess the continuation of the~~  
 5 ~~money follows the person demonstration program in order to support Missourians~~  
 6 ~~who have disabilities and those who are aging to transition from nursing facilities~~  
 7 ~~or habilitation centers to quality community settings. The committee shall study~~  
 8 ~~sustainability of the program beyond the current demonstration time frame for all~~  
 9 ~~transitions to occur by September 30, 2018. The committee shall be administered~~  
 and its members, with the exception of the members from the house of



10 ~~representatives and the senate, chosen by the director of the department of social~~  
11 ~~services:~~

12 ~~2. The committee shall:~~

13 ~~(1) Review the extent to which the demonstration program has achieved~~  
14 ~~its purposes;~~

15 ~~(2) Assess any possible improvements to the program;~~

16 ~~(3) Investigate program elements and costs to sustain the program beyond~~  
17 ~~its current demonstration period;~~

18 ~~(4) Explore cost savings achieved through the demonstration program;~~

19 ~~(5) Investigate the possibility and need to apply for a waiver from the~~  
20 ~~Centers for Medicare and Medicaid Services:~~

21 ~~3. The committee shall include fiscal staff from the department of social~~  
22 ~~services, the department of health and senior services, the department of mental~~  
23 ~~health, and the office of administration's division of budget and planning. The~~  
24 ~~committee shall also be comprised of a representative from each of the following:~~

25 ~~(1) The division of senior and disability services within the department~~  
26 ~~of health and senior services;~~

27 ~~(2) The MO HealthNet division within the department of social services;~~

28 ~~(3) The division of developmental disabilities within the department of~~  
29 ~~mental health;~~

30 ~~(4) Centers for independent living and area agencies on aging currently~~  
31 ~~servicing as money follows the person local contact agencies;~~

32 ~~(5) The Missouri assistive technology council;~~

33 ~~(6) The Missouri developmental disabilities council;~~

34 ~~(7) The skilled nursing community predominately serving MO HealthNet~~  
35 ~~participants;~~

36 ~~(8) The Missouri house of representatives, appointed by the speaker of~~  
37 ~~the house of representatives; and~~

38 ~~(9) The Missouri senate, appointed by the president pro tempore of the~~  
39 ~~senate:~~

40 ~~4. The committee may also include other members or work groups~~  
41 ~~deemed necessary to accomplish its purposes, including but not limited to~~  
42 ~~representatives from state agencies, local advisory groups and community~~  
43 ~~members, and members of the general assembly with valuable input regarding the~~  
44 ~~activities of the money follows the person demonstration program:~~

45 ~~5. The department of social services in cooperation with the department~~  
46 ~~of health and senior services and the department of mental health shall make~~  
47 ~~recommendations based on the findings of the committee and report them to the~~  
48 ~~general assembly and the governor by July 1, 2016:~~

49 ~~6. The provisions of this section shall expire on January 1, 2017.]~~

50

51 EXPLANATION: This section expired 1-01-2017.

52

~~[199.020. 1. The following officers and their families shall, with the permission of the department of health and senior services, reside on the premises or other property of the center: center director, assistant director, physicians, and other personnel required for the center's operation as recommended by the center's director. Personnel residing at the center shall pay a monthly rental determined annually at the lower of cost or fair market value, except that the center director, with the approval of the director of the department of health and senior services, may establish a lower rate as required to fill the center's personnel needs.~~

~~2. This section shall terminate thirty days following the date notice is provided to the revisor of statutes that an agreement has been executed which transfers the Missouri rehabilitation center from the department of health and senior services to the board of curators of the University of Missouri.]~~

EXPLANATION: This section terminated 3-27-1997 (The Revisor of Statutes received notice of the transfer on February 25, 1997. Termination date was thirty days following the date of notice.).

~~[208.053. 1. The provisions of this section shall be known as the "Low-Wage Trap Elimination Act". In order to more effectively transition persons receiving state-funded child care subsidy benefits under this chapter, the children's division, in conjunction with the department of revenue, shall, subject to appropriations, by January 1, 2013, implement a pilot program in at least one rural county and in at least one urban child care center that serves at least three hundred families, to be called the "Hand-Up Program", to allow willing recipients who wish to participate in the program to continue to receive such child care subsidy benefits while sharing in the cost of such benefits through the payment of a premium, as follows:~~

~~(1) For purposes of this section, "full child care benefits" shall be the full benefits awarded to a recipient based on the income eligibility amount established by the division through the annual appropriations process as of August 28, 2012; to qualify for the benefits and shall not include the transitional child care benefits that are awarded to recipients whose income surpasses the eligibility level for full benefits to continue. The hand-up program shall be voluntary and shall be designed such that a participating recipient will not be faced with a sudden loss of child care benefits should the recipient's income rise above the maximum allowable monthly income for persons to receive full child care benefits as of August 28, 2012. In such instance, the recipient shall be permitted to continue to receive such benefits if the recipient pays a premium, to be paid via a payroll deduction if possible, to be applied only to that portion of the recipient's income above such maximum allowable monthly income for the receipt of full child care benefits as follows:~~

- 25 ~~\_\_\_\_\_ (a) The premium shall be forty-four percent of the recipient's excess~~  
26 ~~adjusted gross income over the maximum allowable monthly income for the~~  
27 ~~applicable family size for the receipt of child care benefits;~~
- 28 ~~\_\_\_\_\_ (b) The premium shall be paid on a monthly basis by the participating~~  
29 ~~recipient, or may be paid on a different periodic basis if through a payroll~~  
30 ~~deduction consistent with the payroll period of the person's employer;~~
- 31 ~~\_\_\_\_\_ (c) The division shall develop a payroll deduction program in conjunction~~  
32 ~~with the department of revenue, and shall promulgate rules for the payment of~~  
33 ~~premiums, through such payroll deduction program or through an alternate~~  
34 ~~method to be determined by the division, owed under the hand-up program, and~~
- 35 ~~\_\_\_\_\_ (d) Participating recipients who fail to pay the premium owed shall be~~  
36 ~~removed permanently from the program after sixty days of nonpayment;~~
- 37 ~~\_\_\_\_\_ (2) Subject to the receipt of federal waivers if necessary, participating~~  
38 ~~recipients shall be eligible to receive child care service benefits at income levels~~  
39 ~~all the way up to the level at which a person's premium equals the value of the~~  
40 ~~child care service benefits received by the recipient;~~
- 41 ~~\_\_\_\_\_ (3) Only those recipients who currently receive full child care benefits as~~  
42 ~~of joining the program and who had been receiving full child care service benefits~~  
43 ~~for a period of at least four months prior to implementation by the division of this~~  
44 ~~program shall be eligible to participate in the program. Only those recipients who~~  
45 ~~agree to the terms of the hand-up program during a ninety-day sign-up period~~  
46 ~~shall be allowed to participate in the program, pursuant to rules to be~~  
47 ~~promulgated by the division; and~~
- 48 ~~\_\_\_\_\_ (4) A participating recipient shall be allowed to opt out of the program~~  
49 ~~at any time, but such person shall not be allowed to participate in the program a~~  
50 ~~second time.~~
- 51 ~~\_\_\_\_\_ 2. The division shall track the number of participants in the hand-up~~  
52 ~~program, premiums and taxes paid by each participant in the program and the~~  
53 ~~aggregate of such premiums and taxes, as well as the aggregate of those taxes~~  
54 ~~paid on income exceeding the maximum allowable income for receiving full~~  
55 ~~child care benefits outside the hand-up program, and shall issue an annual report~~  
56 ~~to the general assembly by January 1, 2014, and annually on January first~~  
57 ~~thereafter, detailing the effectiveness of the pilot program in encouraging~~  
58 ~~recipients to increase their income levels above the income maximum applicable~~  
59 ~~to each recipient. The report shall also detail the costs of administration and the~~  
60 ~~increased amount of state income tax paid and premiums paid as a result of the~~  
61 ~~program, as well as an analysis of whether the pilot program could be expanded~~  
62 ~~to include other types of benefits including but not limited to food stamps,~~  
63 ~~temporary assistance for needy families, low-income heating assistance, women,~~  
64 ~~infants and children supplemental nutrition program, the state children's health~~  
65 ~~insurance program, and MO HealthNet benefits.~~
- 66 ~~\_\_\_\_\_ 3. The division shall pursue all necessary waivers from the federal~~  
67 ~~government to implement the hand-up program with the goal of allowing~~

68 ~~participating recipients to receive child care service benefits at income levels all~~  
69 ~~the way up to the level at which a person's premium equals the value of the child~~  
70 ~~care service benefits received by the recipient. If the division is unable to obtain~~  
71 ~~such waivers, the division shall implement the program to the degree possible~~  
72 ~~without such waivers.~~

73 ~~4. (1) There is hereby created in the state treasury the "Hand-Up Program~~  
74 ~~Premium Fund" which shall consist of premiums collected under this section.~~  
75 ~~The state treasurer shall be custodian of the fund. In accordance with sections~~  
76 ~~30.170 and 30.180, the state treasurer may approve disbursements. The state~~  
77 ~~treasurer shall invest moneys in the fund in the same manner as other funds are~~  
78 ~~invested. Any interest and moneys earned on such investments shall be credited~~  
79 ~~to the fund. Notwithstanding the provisions of section 33.080 to the contrary,~~  
80 ~~any moneys remaining in the fund at the end of the biennium shall not revert to~~  
81 ~~the credit of the general revenue fund.~~

82 ~~(2) All premiums received under the program shall be deposited in the~~  
83 ~~fund, out of which the cost of administering the hand-up program shall be paid,~~  
84 ~~as well as the necessary payments to the federal government and to the state~~  
85 ~~general revenue fund. Child care benefits provided under the hand-up program~~  
86 ~~shall continue to be paid for as under the existing state child care assistance~~  
87 ~~program.~~

88 ~~5. After the first year of the program, or sooner if feasible, the cost of~~  
89 ~~administering the program shall be paid out of the premiums received. Any~~  
90 ~~premiums collected exceeding the cost of administering the program shall, if~~  
91 ~~required by federal law, be shared with the federal government and the state~~  
92 ~~general revenue fund in the same proportion that the federal government shares~~  
93 ~~in the cost of funding the child care assistance program with the state.~~

94 ~~6. Any rule or portion of a rule, as that term is defined in section 536.010,~~  
95 ~~that is created under the authority delegated under this section shall become~~  
96 ~~effective only if it complies with and is subject to all of the provisions of chapter~~  
97 ~~536 and, if applicable, section 536.028. This section and chapter 536 are~~  
98 ~~nonseverable and if any of the powers vested with the general assembly pursuant~~  
99 ~~to chapter 536 to review, to delay the effective date, or to disapprove and annul~~  
100 ~~a rule are subsequently held unconstitutional, then the grant of rulemaking~~  
101 ~~authority and any rule proposed or adopted after August 28, 2012, shall be invalid~~  
102 ~~and void.~~

103 ~~7. Pursuant to section 23.253 of the Missouri sunset act:~~

104 ~~(1) The provisions of the new program authorized under this section shall~~  
105 ~~sunset automatically three years after August 28, 2014, unless reauthorized by an~~  
106 ~~act of the general assembly; and~~

107 ~~(2) If such program is reauthorized, the program authorized under this~~  
108 ~~section shall sunset automatically six years after the effective date of the~~  
109 ~~reauthorization of this section; and~~

110 ~~\_\_\_\_\_ (3) This section shall terminate on September first of the calendar year~~  
 111 ~~immediately following the calendar year in which the program authorized under~~  
 112 ~~this section is sunset.]~~  
 113

114 EXPLANATION: This section sunset 8-28-2017. NOTE: A Sunset Review  
 115 Report on this section was sent to the Joint Committee on Legislative Research  
 116 in September 2016.  
 117

~~[208.169. 1. Notwithstanding other provisions of this chapter, including~~  
 2 ~~but not limited to sections 208.152, 208.153, 208.159 and 208.162:~~

3 ~~\_\_\_\_\_ (1) There shall be no revisions to a facility's reimbursement rate for~~  
 4 ~~providing nursing care services under this chapter upon a change in ownership,~~  
 5 ~~management control, operation, stock, leasehold interests by whatever form for~~  
 6 ~~any facility previously licensed or certified for participation in the Medicaid~~  
 7 ~~program. Increased costs for the successor owner, management or leaseholder~~  
 8 ~~that result from such a change shall not be recognized for purposes of~~  
 9 ~~reimbursement;~~

10 ~~\_\_\_\_\_ (2) In the case of a newly built facility or part thereof which is less than~~  
 11 ~~two years of age and enters the Title XIX program under this chapter after July~~  
 12 ~~1, 1983, a reimbursement rate shall be assigned based on the lesser of projected~~  
 13 ~~estimated operating costs or one hundred ten percent of the median rate for the~~  
 14 ~~facility's class to include urban and rural categories for each level of care~~  
 15 ~~including ICF only and SNF/ICF. The rates set under this provision shall be~~  
 16 ~~effective for a period of twelve months from the effective date of the provider~~  
 17 ~~agreement at which time the rate for the future year shall be set in accordance~~  
 18 ~~with reported costs of the facility recognized under the reimbursement plan and~~  
 19 ~~as provided in subdivisions (3) and (4) of this subsection. Rates set under this~~  
 20 ~~section may in no case exceed the maximum ceiling amounts in effect under the~~  
 21 ~~reimbursement regulation;~~

22 ~~\_\_\_\_\_ (3) Reimbursement for capital related expenses for newly built facilities~~  
 23 ~~entering the Title XIX program after March 18, 1983, shall be calculated as the~~  
 24 ~~building and building equipment rate, movable equipment rate, land rate, and~~  
 25 ~~working capital rate.~~

26 ~~\_\_\_\_\_ (a) The building and building equipment rate will be the lower of:~~

27 ~~\_\_\_\_\_ a. Actual acquisition costs, which is the original cost to construct or~~  
 28 ~~acquire the building, not to exceed the costs as determined in section 197.357; or~~

29 ~~\_\_\_\_\_ b. Reasonable construction or acquisition cost computed by applying the~~  
 30 ~~regional Dodge Construction Index for 1981 with a trend factor, if necessary, or~~  
 31 ~~another current construction cost measure multiplied by one hundred eight~~  
 32 ~~percent as an allowance for fees authorized as architectural or legal not included~~  
 33 ~~in the Dodge Index Value, multiplied by the square footage of the facility not to~~  
 34 ~~exceed three hundred twenty-five square feet per bed, multiplied by the ratio of~~  
 35 ~~forty minus the actual years of the age of the facility divided by forty; and~~

36 multiplied by a return rate of twelve percent; and divided by ninety-three percent  
 37 of the facility's total available beds times three hundred sixty-five days.

38 ~~(b) The maximum movable equipment rate will be fifty-three cents per  
 39 bed day.~~

40 ~~(c) The maximum allowable land area is defined as five acres for a  
 41 facility with one hundred or less beds and one additional acre for each additional  
 42 one hundred beds or fraction thereof for a facility with one hundred one or more  
 43 beds.~~

44 ~~(d) The land rate will be calculated as:~~

45 ~~a. For facilities with land areas at or below the maximum allowable land  
 46 area, multiply the acquisition cost of the land by the return rate of twelve percent;  
 47 divide by ninety-three percent of the facility's total available beds times three  
 48 hundred sixty-five days.~~

49 ~~b. For facilities with land areas greater than the maximum allowable land  
 50 area, divide the acquisition cost of the land by the total acres, multiply by the  
 51 maximum allowable land area, multiply by the return rate of twelve percent;  
 52 divide by ninety-three percent of the facility's total available beds times three  
 53 hundred sixty-five days.~~

54 ~~(c) The maximum working capital rate will be twenty cents per day;~~

55 ~~(4) If a provider does not provide the actual acquisition cost to determine  
 56 a reimbursement rate under subparagraph a. of paragraph (a) of subdivision (3)  
 57 of subsection 1 of this section, the sum of the building and building equipment  
 58 rate, movable equipment rate, land rate, and working capital rate shall be set at  
 59 a reimbursement rate of six dollars;~~

60 ~~(5) For each state fiscal year a negotiated trend factor shall be applied to  
 61 each facility's Title XIX per diem reimbursement rate. The trend factor shall be  
 62 determined through negotiations between the department and the affected  
 63 providers and is intended to hold the providers harmless against increase in cost.  
 64 In no circumstances shall the negotiated trend factor to be applied to state funds  
 65 exceed the health care finance administration market basket price index for that  
 66 year. The provisions of this subdivision shall apply to fiscal year 1996 and  
 67 thereafter.~~

68 ~~2. The provisions of subdivisions (1), (2), (3), and (4) of subsection 1 of  
 69 this section shall remain in effect until July 1, 1989, unless otherwise provided  
 70 by law.]~~

71

72 EXPLANATION: This section expired 07-01-1989.

73

2 ~~[208.627. 1. The department of social services shall seek input from the  
 3 department of mental health and community-based social service agencies, which  
 4 provide case management services to the elderly, for the purpose of developing  
 5 a report outlining areas and strategies by which the department can deliver case  
 management services to the elderly by collaboration and cooperation with~~

6 community-based social service agencies, employing licensed personnel. The  
 7 report shall include, but not be limited to, the identification of at-risk elderly,  
 8 transportation services, case management services, nutrition services, health  
 9 services, and socialization activities and programs. The goal of strategies  
 10 outlined should be to enhance the quality of life and welfare of Missouri's elderly  
 11 population, and specifically Missouri's at-risk elderly.

12 ~~2. The report required by subsection 1 of this section shall be delivered~~  
 13 ~~to the governor, the president pro tem of the senate, and the speaker of the house~~  
 14 ~~not later than January 1, 1995. The report shall identify effective and efficient~~  
 15 ~~methods of delivering necessary services to at-risk elderly.]~~

16  
 17 EXPLANATION: The report required under this section was due 1-01-1995.  
 18

2 ~~[210.154. 1. There is hereby created within the department of social~~  
 3 ~~services the "Missouri Task Force on the Prevention of Infant Abuse and~~  
 4 ~~Neglect" to study and make recommendations to the governor and general~~  
 5 ~~assembly concerning the prevention of infant abuse and neglect in Missouri. The~~  
 6 ~~task force shall consist of the following nine members:~~

7 ~~(1) Two members of the senate from different political parties, appointed~~  
 8 ~~by the president pro tempore of the senate;~~

9 ~~(2) Two members of the house of representatives from different political~~  
 10 ~~parties, appointed by the speaker of the house of representatives;~~

11 ~~(3) The director of the department of social services, or his or her~~  
 12 ~~designee;~~

13 ~~(4) The director of the department of health and senior services, or his or~~  
 14 ~~her designee;~~

15 ~~(5) A SAFE CARE provider as described in section 334.950;~~

16 ~~(6) A representative of a child advocacy organization specializing in~~  
 17 ~~prevention of child abuse and neglect; and~~

18 ~~(7) A representative of a licensed Missouri hospital or licensed Missouri~~  
 19 ~~birthing center.~~

20 ~~Members of the task force, other than the legislative members and the directors~~  
 21 ~~of state departments, shall be appointed by the governor with the advice and~~  
 22 ~~consent of the senate by September 15, 2016.~~

23 ~~2. A majority vote of a quorum of the task force is required for any~~  
 24 ~~action.~~

25 ~~3. The task force shall elect a chair and vice-chair at its first meeting,~~  
 26 ~~which shall be convened by the director of the department of social services, or~~  
 27 ~~his or her designee, no later than October 1, 2016. Meetings may be held by~~  
 28 ~~telephone or video conference at the discretion of the chair.~~

- 29 ~~4. Members shall serve on the task force without compensation but may,~~  
 30 ~~subject to appropriations, be reimbursed for actual and necessary expenses~~  
 31 ~~incurred in the performance of their official duties as members of the task force.~~  
 32 ~~5. On or before December 31, 2016, the task force shall submit a report~~  
 33 ~~on its findings and recommendations to the governor and general assembly.~~  
 34 ~~6. The task shall develop recommendations to reduce infant abuse and~~  
 35 ~~neglect, including but not limited to:~~  
 36 ~~(1) Sharing information between the children's division and hospitals and~~  
 37 ~~birthing centers for the purpose of identifying newborn infants who may be at risk~~  
 38 ~~of abuse and neglect; and~~  
 39 ~~(2) Training division employees and medical providers to recognize the~~  
 40 ~~signs of infant child abuse and neglect.~~  
 41  
 42 ~~The recommendations may include proposals for specific statutory and regulatory~~  
 43 ~~changes and methods to foster cooperation between state and local governmental~~  
 44 ~~bodies, medical providers, and child welfare agencies.~~  
 45 ~~7. The task force shall expire on January 1, 2017, or upon submission of~~  
 46 ~~a report as provided for under subsection 5 of this section.]~~

47  
 48 EXPLANATION: This section expired 1-01-2017.  
 49

- 2 ~~[210.1030. 1. There is hereby created the "Trauma-Informed Care for~~  
 3 ~~Children and Families Task Force". The mission of the task force shall be to~~  
 4 ~~promote the healthy development of children and their families living in Missouri~~  
 5 ~~communities by promoting comprehensive trauma-informed children and family~~  
 6 ~~support systems and interagency cooperation.~~  
 7 ~~2. The task force shall consist of the following members:~~  
 8 ~~(1) The directors, or their designees, of the departments of elementary~~  
 9 ~~and secondary education, health and senior services, mental health, social~~  
 10 ~~services, public safety, and corrections;~~  
 11 ~~(2) The director, or his or her designee, of the office of child advocate;~~  
 12 ~~(3) Six members from the private sector with knowledge of~~  
 13 ~~trauma-informed care methods, two of whom shall be appointed by the speaker~~  
 14 ~~of the house of representatives, one of whom shall be appointed by the minority~~  
 15 ~~leader of the house of representatives, two of whom shall be appointed by the~~  
 16 ~~president pro tempore of the senate, and one of whom shall be appointed by the~~  
 17 ~~minority leader of the senate;~~  
 18 ~~(4) Two members of the house of representatives appointed by the~~  
 19 ~~speaker of the house of representatives and one member of the house of~~  
 20 ~~representatives appointed by the minority leader of the house of representatives;~~  
 21 ~~(5) Two members of the senate appointed by the president pro tempore~~  
 22 ~~of the senate and one member of the senate appointed by the minority leader of~~  
 the senate; and



- 23 ~~————— (6) The executive director, or his or her designee, of the Missouri~~  
 24 ~~Juvenile Justice Association.~~
- 25 ~~————— 3. The task force shall incorporate evidence-based and~~  
 26 ~~evidence-informed best practices including, but not limited to, the Missouri~~  
 27 ~~Model: A Developmental Framework for Trauma-Informed, with respect to:~~
- 28 ~~————— (1) Early identification of children and youth and their families, as~~  
 29 ~~appropriate, who have experienced or are at risk of experiencing trauma;~~
- 30 ~~————— (2) The expeditious referral of such children and youth and their families,~~  
 31 ~~as appropriate, who require specialized services to the appropriate~~  
 32 ~~trauma-informed support services, including treatment, in accordance with~~  
 33 ~~applicable privacy laws; and~~
- 34 ~~————— (3) The implementation of trauma-informed approaches and interventions~~  
 35 ~~in child and youth-serving schools, organizations, homes, and other settings to~~  
 36 ~~foster safe, stable, and nurturing environments and relationships that prevent and~~  
 37 ~~mitigate the effects of trauma.~~
- 38 ~~————— 4. The department of social services shall provide such research, clerical;~~  
 39 ~~technical, and other services as the task force may require in the performance of~~  
 40 ~~its duties.~~
- 41 ~~————— 5. The task force, its members, and any staff assigned to the task force~~  
 42 ~~shall receive reimbursement for their actual and necessary expenses incurred in~~  
 43 ~~attending meetings of the task force or any subcommittee thereof.~~
- 44 ~~————— 6. The task force shall meet within two months of August 28, 2018.~~
- 45 ~~————— 7. The task force shall report a summary of its activities and any~~  
 46 ~~recommendations for legislation to the general assembly and to the joint~~  
 47 ~~committee on child abuse and neglect under section 21.771 by January 1, 2019.~~
- 48 ~~————— 8. The task force shall terminate on January 1, 2019.]~~

49  
 50  
 51

EXPLANATION: This section terminated 1-01-2019.

- 2 ~~[215.263. 1. For purposes of sections 215.261 to 215.263, the term~~  
 3 ~~"affordable housing" means all residential structures newly constructed or~~  
 4 ~~rehabilitated, which a person earning one hundred fifteen percent or less of the~~  
 5 ~~median income for the person's county, as determined by the United States~~  
 6 ~~Census Bureau's American Community Survey, based on the most recent of~~  
 7 ~~five-year period estimate data in which the final year of the estimate ends in~~  
 8 ~~either zero or five, could afford if spending twenty-nine percent of that person's~~  
 9 ~~gross income annually on such housing.~~
- 10 ~~————— 2. Clerical, research and general administrative support staff for the~~  
 11 ~~commission shall be provided by the Missouri department of economic~~  
 12 ~~development.]~~

13 EXPLANATION: This section became obsolete when sections 215.261 and  
 14 215.262 were repealed in 2015.

15

~~[217.147. 1. There is hereby created the "Sentencing and Corrections Oversight Commission". The commission shall be composed of thirteen members as follows:~~

~~(1) A circuit court judge to be appointed by the chief justice of the Missouri supreme court;~~

~~(2) Three members to be appointed by the governor with the advice and consent of the senate, one of whom shall be a victim's advocate, one of whom shall be a representative from the Missouri Sheriffs' Association, and one of whom shall be a representative of the Missouri Association of Counties;~~

~~(3) The following shall be ex officio, voting members:~~

~~(a) The chair of the senate judiciary committee, or any successor committee that reviews legislation involving crime and criminal procedure, who shall serve as co-chair of the commission and the ranking minority member of such senate committee;~~

~~(b) The chair of the appropriations-public safety and corrections committee of the house of representatives, or any successor committee that reviews similar legislation, who shall serve as co-chair and the ranking minority member of such house committee;~~

~~(c) The director of the Missouri state public defender system, or his or her designee who is a practicing public defender;~~

~~(d) The executive director of the Missouri office of prosecution services, or his or her designee who is a practicing prosecutor;~~

~~(e) The director of the department of corrections, or his or her designee;~~

~~(f) The chairman of the board of probation and parole, or his or her designee;~~

~~(g) The chief justice of the Missouri supreme court, or his or her designee.~~

~~2. Beginning with the appointments made after August 28, 2012, the circuit court judge member shall be appointed for four years, two of the members appointed by the governor shall be appointed for three years, and one member appointed by the governor shall be appointed for two years. Thereafter, the members shall be appointed to serve four-year terms and shall serve until a successor is appointed. A vacancy in the office of a member shall be filled by appointment for the remainder of the unexpired term.~~

~~3. The co-chairs are responsible for establishing and enforcing attendance and voting rules, bylaws, and the frequency, location, and time of meetings, and distributing meeting notices, except that the commission's first meeting shall occur by February 28, 2013, and the commission shall meet at least twice each calendar year.~~

~~4. The duties of the commission shall include:~~

40

41 ~~————— (1) Monitoring and assisting the implementation of sections 217.703;~~  
 42 ~~217.718, and subsection 4 of section 559.036, and evaluating recidivism~~  
 43 ~~reductions, cost savings, and other effects resulting from the implementation;~~

44 ~~————— (2) Determining ways to reinvest any cost savings to pay for the~~  
 45 ~~continued implementation of the sections listed in subdivision (1) of this~~  
 46 ~~subsection and other evidence-based practices for reducing recidivism; and~~

47 ~~————— (3) Examining the issue of restitution for crime victims, including the~~  
 48 ~~amount ordered and collected annually, methods and costs of collection, and~~  
 49 ~~restitution's order of priority in official procedures and documents.~~

50 ~~————— 5. The department, board, and office of state courts administrator shall~~  
 51 ~~collect and report any data requested by the commission in a timely fashion.~~

52 ~~————— 6. The commission shall issue a report to the speaker of the house of~~  
 53 ~~representatives, senate president pro tempore, chief justice of the Missouri~~  
 54 ~~supreme court, and governor on December 31, 2013, and annually thereafter,~~  
 55 ~~detailing the effects of the sections listed in subdivision (1) of subsection 4 and~~  
 56 ~~providing the data and analysis demonstrating those effects. The report may also~~  
 57 ~~recommend ways to reinvest any cost savings into evidence-based practices to~~  
 58 ~~reduce recidivism and possible changes to sentencing and corrections policies~~  
 59 ~~and statutes.~~

60 ~~————— 7. The department of corrections shall provide administrative support to~~  
 61 ~~the commission to carry out the duties of this section.~~

62 ~~————— 8. No member shall receive any compensation for the performance of~~  
 63 ~~official duties, but the members who are not otherwise reimbursed by their~~  
 64 ~~agency shall be reimbursed for travel and other expenses actually and necessarily~~  
 65 ~~incurred in the performance of their duties.~~

66 ~~————— 9. The provisions of this section shall automatically expire on August 28,~~  
 67 ~~2018.]~~

68

69 EXPLANATION: This section expired 8-28-2018.

70

2 ~~[260.900.—As used in sections 260.900 to 260.960, unless the context~~  
 clearly indicates otherwise, the following terms mean:

3 ~~————— (1) "Abandoned dry-cleaning facility", any real property premises or~~  
 4 ~~individual leasehold space in which a dry-cleaning facility formerly operated;~~

5 ~~————— (2) "Active dry-cleaning facility", any real property premises or~~  
 6 ~~individual leasehold space in which a dry-cleaning facility currently operates;~~

7 ~~————— (3) "Chlorinated dry-cleaning solvent", any dry-cleaning solvent which~~  
 8 ~~contains a compound which has a molecular structure containing the element~~  
 9 ~~chlorine;~~

10 ~~————— (4) "Commission", the hazardous waste management commission created~~  
 11 ~~in section 260.365;~~

12 ~~————— (5) "Corrective action", those activities described in subsection 1 of~~  
 13 ~~section 260.925;~~

- 14 ~~————— (6) "Corrective action plan", a plan approved by the director to perform~~  
 15 ~~corrective action at a dry-cleaning facility;~~
- 16 ~~————— (7) "Department", the Missouri department of natural resources;~~
- 17 ~~————— (8) "Director", the director of the Missouri department of natural~~  
 18 ~~resources;~~
- 19 ~~————— (9) "Dry-cleaning facility", a commercial establishment that operates, or~~  
 20 ~~has operated in the past in whole or in part for the purpose of cleaning garments~~  
 21 ~~or other fabrics on site utilizing a process that involves any use of dry-cleaning~~  
 22 ~~solvents. Dry-cleaning facility includes all contiguous land, structures and other~~  
 23 ~~appurtenances and improvements on the land used in connection with a~~  
 24 ~~dry-cleaning facility but does not include prisons, governmental entities, hotels,~~  
 25 ~~motels or industrial laundries. Dry-cleaning facility does include coin-operated~~  
 26 ~~dry-cleaning facilities;~~
- 27 ~~————— (10) "Dry-cleaning solvent", any and all nonaqueous solvents used or to~~  
 28 ~~be used in the cleaning of garments and other fabrics at a dry-cleaning facility and~~  
 29 ~~includes but is not limited to perchloroethylene, also known as~~  
 30 ~~tetrachloroethylene, chlorinated dry-cleaning, and the products into which such~~  
 31 ~~solvents degrade;~~
- 32 ~~————— (11) "Dry-cleaning unit", a machine or device which utilizes dry-cleaning~~  
 33 ~~solvents to clean garments and other fabrics and includes any associated piping~~  
 34 ~~and ancillary equipment and any containment system;~~
- 35 ~~————— (12) "Environmental response surcharge", either the active dry-cleaning~~  
 36 ~~facility registration surcharge or the dry-cleaning solvent surcharge;~~
- 37 ~~————— (13) "Fund", the dry-cleaning environmental response trust fund created~~  
 38 ~~in section 260.920;~~
- 39 ~~————— (14) "Immediate response to a release", containment and control of a~~  
 40 ~~known release in excess of a reportable quantity and notification to the~~  
 41 ~~department of any known release in excess of a reportable quantity;~~
- 42 ~~————— (15) "Operator", any person who is or has been responsible for the~~  
 43 ~~operation of dry-cleaning operations at a dry-cleaning facility;~~
- 44 ~~————— (16) "Owner", any person who owns the real property where a~~  
 45 ~~dry-cleaning facility is or has operated;~~
- 46 ~~————— (17) "Person", an individual, trust, firm, joint venture, consortium,~~  
 47 ~~joint-stock company, corporation, partnership, association or limited liability~~  
 48 ~~company. Person does not include any governmental organization;~~
- 49 ~~————— (18) "Release", any spill, leak, emission, discharge, escape, leak or~~  
 50 ~~disposal of dry-cleaning solvent from a dry-cleaning facility into the soils or~~  
 51 ~~waters of the state;~~
- 52 ~~————— (19) "Reportable quantity", a known release of a dry-cleaning solvent~~  
 53 ~~deemed reportable by applicable federal or state law or regulation.]~~

54

[260.905. 1. The commission shall promulgate and adopt such initial  
 2 rules and regulations, effective no later than July 1, 2007, as shall be necessary

3 ~~to carry out the purposes and provisions of sections 260.900 to 260.960. Prior~~  
4 ~~to the promulgation of such rules, the commission shall meet with representatives~~  
5 ~~of the dry-cleaning industry and other interested parties. The commission,~~  
6 ~~thereafter, shall promulgate and adopt additional rules and regulations or change~~  
7 ~~existing rules and regulations when necessary to carry out the purposes and~~  
8 ~~provisions of sections 260.900 to 260.960.~~

9 ~~2. Any rule or regulation adopted pursuant to sections 260.900 to~~  
10 ~~260.960 shall be reasonably necessary to protect human health, to preserve,~~  
11 ~~protect and maintain the water and other natural resources of this state and to~~  
12 ~~provide for prompt corrective action of releases from dry-cleaning facilities.~~  
13 ~~Consistent with these purposes, the commission shall adopt rules and regulations,~~  
14 ~~effective no later than July 1, 2007:~~

15 ~~(1) Establishing requirements that owners who close dry-cleaning~~  
16 ~~facilities remove dry-cleaning solvents and wastes from such facilities in order~~  
17 ~~to prevent any future releases;~~

18 ~~(2) Establishing criteria to prioritize the expenditure of funds from the~~  
19 ~~dry-cleaning environmental response trust fund. The criteria shall include~~  
20 ~~consideration of:~~

21 ~~(a) The benefit to be derived from corrective action compared to the cost~~  
22 ~~of conducting such corrective action;~~

23 ~~(b) The degree to which human health and the environment are actually~~  
24 ~~affected by exposure to contamination;~~

25 ~~(c) The present and future use of an affected aquifer or surface water;~~

26 ~~(d) The effect that interim or immediate remedial measures will have on~~  
27 ~~future costs; and~~

28 ~~(e) Such additional factors as the commission considers relevant;~~

29 ~~(3) Establishing criteria under which a determination may be made by the~~  
30 ~~department of the level at which corrective action shall be deemed completed.~~  
31 ~~Criteria for determining completion of corrective action shall be based on the~~  
32 ~~factors set forth in subdivision (2) of this subsection and:~~

33 ~~(a) Individual site characteristics including natural remediation processes;~~

34 ~~(b) Applicable state water quality standards;~~

35 ~~(c) Whether deviation from state water quality standards or from~~  
36 ~~established criteria is appropriate, based on the degree to which the desired~~  
37 ~~remediation level is achievable and may be reasonably and cost effectively~~  
38 ~~implemented, subject to the limitation that where a state water quality standard~~  
39 ~~is applicable, a deviation may not result in the application of standards more~~  
40 ~~stringent than that standard; and~~

41 ~~(d) Such additional factors as the commission considers relevant.]~~

42

~~[260.910. 1. No person shall:~~

2 ~~(1) Operate an active dry-cleaning facility in violation of sections~~  
3 ~~260.900 to 260.960, rules and regulations adopted pursuant to sections 260.900~~

- 4 to 260.960 or orders of the director pursuant to sections 260.900 to 260.960, or  
 5 operate an active dry-cleaning facility in violation of any other applicable federal  
 6 or state environmental statutes, rules or regulations;
- 7 ~~(2) Prevent or hinder a properly identified officer or employee of the~~  
 8 ~~department or other authorized agent of the director from entering, inspecting,~~  
 9 ~~sampling or responding to a release at reasonable times and with reasonable~~  
 10 ~~advance notice to the operator as authorized by sections 260.900 to 260.960;~~
- 11 ~~(3) Knowingly make any false material statement or representation in any~~  
 12 ~~record, report or other document filed, maintained or used for the purpose of~~  
 13 ~~compliance with sections 260.900 to 260.960;~~
- 14 ~~(4) Knowingly destroy, alter or conceal any record required to be~~  
 15 ~~maintained by sections 260.900 to 260.960 or rules and regulations adopted~~  
 16 ~~pursuant to sections 260.900 to 260.960;~~
- 17 ~~(5) Willfully allow a release in excess of a reportable quantity or~~  
 18 ~~knowingly fail to make an immediate response to a release in accordance with~~  
 19 ~~sections 260.900 to 260.960 and rules and regulations pursuant to sections~~  
 20 ~~260.900 to 260.960.~~
- 21 ~~2. The director may bring a civil damages action against any person who~~  
 22 ~~violates any provisions of subsection 1 of this section. Such civil damages may~~  
 23 ~~be assessed in an amount not to exceed five hundred dollars for each violation~~  
 24 ~~and are in addition to any other penalty assessed by law.~~
- 25 ~~3. In assessing any civil damages pursuant to this section, a court of~~  
 26 ~~competent jurisdiction shall consider, when applicable, the following factors:~~
- 27 ~~(1) The extent to which the violation presents a hazard to human health;~~  
 28 ~~(2) The extent to which the violation has or may have an adverse effect~~  
 29 ~~on the environment;~~
- 30 ~~(3) The amount of the reasonable costs incurred by the state in detection~~  
 31 ~~and investigation of the violation; and~~
- 32 ~~(4) The economic savings realized by the person in not complying with~~  
 33 ~~the provision for which a violation is charged.]~~
- 34

2 [260.915. Each operator of an active dry-cleaning facility shall register  
 3 with the department on a form provided by the department according to  
 4 procedures established by the department by rule.]

2 [260.920. 1. There is hereby created within the state treasury a fund to  
 3 be known as the "Dry-cleaning Environmental Response Trust Fund". All  
 4 moneys received from the environmental response surcharges, fees, gifts,  
 5 bequests, donations and moneys recovered by the state pursuant to sections  
 6 260.900 to 260.960, except for any moneys paid under an agreement with the  
 7 director or as civil damages, or any other money so designated shall be deposited  
 8 in the state treasury to the credit of the dry-cleaning environmental response trust  
 fund, and shall be invested to generate income to the fund. Notwithstanding the

9 provisions of section 33.080, the unexpended balance in the dry-cleaning  
 10 environmental response trust fund at the end of each fiscal year shall not be  
 11 transferred to the general revenue fund.

12 ~~2. Moneys in the fund may be expended for only the following purposes  
 13 and for no other governmental purpose:~~

14 ~~(1) The direct costs of administration and enforcement of sections  
 15 260.900 to 260.960; and~~

16 ~~(2) The costs of corrective action as provided in section 260.925.~~

17 ~~3. The state treasurer is authorized to deposit all of the moneys in the  
 18 dry-cleaning environmental response trust fund in any of the qualified  
 19 depositories of the state. All such deposits shall be secured in such a manner and  
 20 shall be made upon such terms and conditions as are now or may hereafter be  
 21 provided by law relative to state deposits. Interest received on such deposits shall  
 22 be credited to the dry-cleaning environmental response trust fund.~~

23 ~~4. Any funds received pursuant to sections 260.900 to 260.960 and  
 24 deposited in the dry-cleaning environmental response trust fund shall not be  
 25 considered a part of "total state revenue" as provided in Sections 17 and 18 of  
 26 Article X of the Missouri Constitution.]~~

27

2 [260.925. 1. On and after July 1, 2002, moneys in the fund shall be  
 3 utilized to address contamination resulting from releases of dry-cleaning solvents  
 4 as provided in sections 260.900 to 260.960. Whenever a release poses a threat  
 5 to human health or the environment, the department, consistent with rules and  
 6 regulations adopted by the commission pursuant to subdivisions (2) and (3) of  
 7 subsection 2 of section 260.905, shall expend moneys available in the fund to  
 8 provide for:

9 ~~(1) Investigation and assessment of a release from a dry-cleaning facility,  
 10 including costs of investigations and assessments of contamination which may  
 11 have moved off of the dry-cleaning facility;~~

12 ~~(2) Necessary or appropriate emergency action, including but not limited  
 13 to treatment, restoration or replacement of drinking water supplies, to assure that  
 14 the human health or safety is not threatened by a release or potential release;~~

15 ~~(3) Remediation of releases from dry-cleaning facilities, including  
 16 contamination which may have moved off of the dry-cleaning facility, which  
 17 remediation shall consist of the preparation of a corrective action plan and the  
 18 cleanup of affected soil, groundwater and surface waters, using an alternative that  
 19 is cost-effective, technologically feasible and reliable, provides adequate  
 20 protection of human health and environment and to the extent practicable  
 21 minimizes environmental damage;~~

22 ~~(4) Operation and maintenance of corrective action;~~

23 ~~(5) Monitoring of releases from dry-cleaning facilities including  
 contamination which may have moved off of the dry-cleaning facility;~~

- 24 ~~————— (6) Payment of reasonable costs incurred by the director in providing~~  
25 ~~field and laboratory services;~~
- 26 ~~————— (7) Reasonable costs of restoring property as nearly as practicable to the~~  
27 ~~condition that existed prior to activities associated with the investigation of a~~  
28 ~~release or cleanup or remediation activities;~~
- 29 ~~————— (8) Removal and proper disposal of wastes generated by a release of a~~  
30 ~~dry-cleaning solvent; and~~
- 31 ~~————— (9) Payment of costs of corrective action conducted by the department or~~  
32 ~~by entities other than the department but approved by the department, whether or~~  
33 ~~not such corrective action is set out in a corrective action plan; except that, there~~  
34 ~~shall be no reimbursement for corrective action costs incurred before August 28,~~  
35 ~~2000.~~
- 36 ~~————— 2. Nothing in subsection 1 of this section shall be construed to authorize~~  
37 ~~the department to obligate moneys in the fund for payment of costs that are not~~  
38 ~~integral to corrective action for a release of dry-cleaning solvents from a~~  
39 ~~dry-cleaning facility. Moneys from the fund shall not be used:~~
- 40 ~~————— (1) For corrective action at sites that are contaminated by solvents~~  
41 ~~normally used in dry-cleaning operations where the contamination did not result~~  
42 ~~from the operation of a dry-cleaning facility;~~
- 43 ~~————— (2) For corrective action at sites, other than dry-cleaning facilities, that~~  
44 ~~are contaminated by dry-cleaning solvents which were released while being~~  
45 ~~transported to or from a dry-cleaning facility;~~
- 46 ~~————— (3) To pay any fine or penalty brought against a dry-cleaning facility~~  
47 ~~operator under state or federal law;~~
- 48 ~~————— (4) To pay any costs related to corrective action at a dry-cleaning facility~~  
49 ~~that has been included by the United States Environmental Protection Agency on~~  
50 ~~the national priorities list;~~
- 51 ~~————— (5) For corrective action at sites with active dry-cleaning facilities where~~  
52 ~~the owner or operator is not in compliance with sections 260.900 to 260.960;~~  
53 ~~rules and regulations adopted pursuant to sections 260.900 to 260.960, orders of~~  
54 ~~the director pursuant to sections 260.900 to 260.960, or any other applicable~~  
55 ~~federal or state environmental statutes, rules or regulations; or~~
- 56 ~~————— (6) For corrective action at sites with abandoned dry-cleaning facilities~~  
57 ~~that have been taken out of operation prior to July 1, 2009, and not documented~~  
58 ~~by or reported to the department by July 1, 2009. Any person reporting such a~~  
59 ~~site to the department shall include any available evidence that the site once~~  
60 ~~contained a dry-cleaning facility.~~
- 61 ~~————— 3. Nothing in sections 260.900 to 260.960 shall be construed to restrict~~  
62 ~~the department from temporarily postponing completion of corrective action for~~  
63 ~~which moneys from the fund are being expended whenever such postponement~~  
64 ~~is deemed necessary in order to protect public health and the environment.~~
- 65 ~~————— 4. At any multisource site, the department shall utilize the moneys in the~~  
66 ~~fund to pay for the proportionate share of the liability for corrective action costs~~



67 which is attributable to a release from one or more dry-cleaning facilities and for  
68 that proportionate share of the liability only.

69 ~~5. At any multisource site, the director is authorized to make a~~  
70 ~~determination of the relative liability of the fund for costs of corrective action,~~  
71 ~~expressed as a percentage of the total cost of corrective action at a site, whether~~  
72 ~~known or unknown. The director shall issue an order establishing such~~  
73 ~~percentage of liability. Such order shall be binding and shall control the~~  
74 ~~obligation of the fund until or unless amended by the director. In the event of an~~  
75 ~~appeal from such order, such percentage of liability shall be controlling for costs~~  
76 ~~incurred during the pendency of the appeal.~~

77 ~~6. Any authorized officer, employee or agent of the department, or any~~  
78 ~~person under order or contract with the department, may enter onto any property~~  
79 ~~or premises, at reasonable times and with reasonable advance notice to the~~  
80 ~~operator, to take corrective action where the director determines that such action~~  
81 ~~is necessary to protect the public health or environment. If consent is not granted~~  
82 ~~by the operator regarding any request made by any officer, employee or agent of~~  
83 ~~the department, or any person under order or contract with the department, under~~  
84 ~~the provisions of this section, the director may issue an order directing~~  
85 ~~compliance with the request. The order may be issued after such notice and~~  
86 ~~opportunity for consultation as is reasonably appropriate under the circumstances.~~

87 ~~7. Notwithstanding any other provision of sections 260.900 to 260.960,~~  
88 ~~in the discretion of the director, an operator may be responsible for up to one~~  
89 ~~hundred percent of the costs of corrective action attributable to such operator if~~  
90 ~~the director finds, after notice and an opportunity for a hearing in accordance with~~  
91 ~~chapter 536 that:~~

92 ~~(1) Requiring the operator to bear such responsibility will not prejudice~~  
93 ~~another owner, operator or person who is eligible, pursuant to the provisions of~~  
94 ~~sections 260.900 to 260.960, to have corrective action costs paid by the fund; and~~

95 ~~(2) The operator:~~

96 ~~(a) Caused a release in excess of a reportable quantity by willful or~~  
97 ~~wanton actions and such release was caused by operating practices in violation~~  
98 ~~of existing laws and regulations at the time of the release; or~~

99 ~~(b) Is in arrears for moneys owed pursuant to sections 260.900 to~~  
100 ~~260.960, after notice and an opportunity to correct the arrearage; or~~

101 ~~(c) Materially obstructs the efforts of the department to carry out its~~  
102 ~~obligations pursuant to sections 260.900 to 260.960; except that, the exercise of~~  
103 ~~legal rights shall not constitute a substantial obstruction; or~~

104 ~~(d) Caused or allowed a release in excess of a reportable quantity because~~  
105 ~~of a willful material violation of sections 260.900 to 260.960 or the rules and~~  
106 ~~regulations adopted by the commission pursuant to sections 260.900 to 260.960.~~

107 ~~8. For purposes of subsection 7 of this section, unless a transfer is made~~  
108 ~~to take advantage of the provisions of subsection 7 of this section, purchasers of~~  
109 ~~stock or other indicia of ownership and other successors in interest shall not be~~

110 ~~considered to be the same owner or operator as the seller or transferor of such~~  
111 ~~stock or indicia of ownership even though there may be no change in the legal~~  
112 ~~identity of the owner or operator. To the extent that an owner or operator is~~  
113 ~~responsible for corrective action costs pursuant to subsection 7 of this section,~~  
114 ~~such owner or operator shall not be entitled to the exemption provided in~~  
115 ~~subsection 5 of section 260.930.~~

116 ~~9. The fund shall not be liable for the payment of costs in excess of one~~  
117 ~~million dollars at any one contaminated dry-cleaning site. Additionally, the fund~~  
118 ~~shall not be liable for the payment of costs for any one site in excess of~~  
119 ~~twenty-five percent of the total moneys in the fund during any fiscal year. For~~  
120 ~~purposes of this subsection, "contaminated dry-cleaning site" means the areal~~  
121 ~~extent of soil or ground water contaminated with dry-cleaning solvents.~~

122 ~~10. The owner or operator of an active dry-cleaning facility shall be liable~~  
123 ~~for the first twenty-five thousand dollars of corrective action costs incurred~~  
124 ~~because of a release from an active dry-cleaning facility. The owner of an~~  
125 ~~abandoned dry-cleaning facility shall be liable for the first twenty-five thousand~~  
126 ~~dollars of corrective action costs incurred because of a release from an abandoned~~  
127 ~~dry-cleaning facility. Nothing in this subsection shall be construed to prohibit the~~  
128 ~~department from taking corrective action because the department cannot obtain~~  
129 ~~the deductible.]~~

130

2 ~~[260.930. 1. Neither the state of Missouri, the fund, the commission, the~~  
3 ~~director nor the department or agent or employees thereof shall be liable for loss~~  
4 ~~of business, damages or taking of property associated with any corrective action~~  
5 ~~taken pursuant to sections 260.900 to 260.960.~~

6 ~~2. Nothing in sections 260.900 to 260.960 shall establish or create any~~  
7 ~~liability or responsibility on the part of the commission, the director, the~~  
8 ~~department or the state of Missouri, or agents or employees thereof, to pay any~~  
9 ~~corrective action costs from any source other than the fund or to take corrective~~  
10 ~~action if the moneys in the fund are insufficient to do so.~~

11 ~~3. Nothing in sections 260.900 to 260.960 shall be construed to abrogate~~  
12 ~~or limit any right, remedy, causes of action, or claim by any person sustaining~~  
13 ~~personal injury or property damage as a result of any release from a dry-cleaning~~  
14 ~~facility, nor shall anything in sections 260.900 to 260.960 be construed to~~  
15 ~~abrogate or limit any liability of any person in any way responsible for any~~  
16 ~~release from a dry-cleaning facility or any damages for personal injury or~~  
17 ~~property damages caused by such a release.~~

18 ~~4. Moneys in the fund shall not be used for compensating third parties for~~  
19 ~~bodily injury or property damage caused by a release from a dry-cleaning facility,~~  
20 ~~other than property damage included in the corrective action plan approved by the~~  
21 ~~director.~~

22 ~~5. To the extent that an operator, owner or other person is eligible~~  
~~pursuant to the provisions of sections 260.900 to 260.960 to have corrective~~

23 ~~action costs paid by the fund, no administrative or judicial claim may be made~~  
24 ~~under state law against any such operator, owner or other person by or on behalf~~  
25 ~~of a state or local government or by any person to either compel corrective action~~  
26 ~~at the dry-cleaning facility site or seek recovery of the costs of corrective action~~  
27 ~~at the dry-cleaning facility which result from the release of dry-cleaning solvents~~  
28 ~~from that dry-cleaning facility or to compel corrective action or seek recovery of~~  
29 ~~the costs of corrective action which result from the release of dry-cleaning~~  
30 ~~solvents from a dry-cleaning facility. The provisions of this subsection shall~~  
31 ~~apply to any dry-cleaning facility or dry-cleaning facility site which has been~~  
32 ~~included in a corrective action plan approved by the director. The director shall~~  
33 ~~only approve a corrective action plan after making a determination that a~~  
34 ~~sufficient balance in the fund exists to implement the plan. No administrative or~~  
35 ~~judicial claim may be made unless the director has rejected the corrective action~~  
36 ~~plan submitted pursuant to section 260.925.]~~  
37

2 ~~[260.935. 1. Every active dry-cleaning facility shall pay, in addition to~~  
3 ~~any other environmental response surcharges, an annual dry-cleaning facility~~  
4 ~~registration surcharge as follows:~~

5 ~~(1) Five hundred dollars for facilities which use no more than one~~  
6 ~~hundred forty gallons of chlorinated solvents;~~

7 ~~(2) One thousand dollars for facilities which use more than one hundred~~  
8 ~~forty gallons of chlorinated solvents and less than three hundred sixty gallons of~~  
9 ~~chlorinated solvents per year; and~~

10 ~~(3) Fifteen hundred dollars for facilities which use at least three hundred~~  
11 ~~sixty gallons of chlorinated solvents per year.~~

12 ~~2. The active dry-cleaning facility registration surcharge imposed by this~~  
13 ~~section shall be reported and paid to the department on an annual basis. The~~  
14 ~~commission shall prescribe by administrative rule the procedure for the report~~  
15 ~~and payment required by this section.~~

16 ~~3. The department shall provide each person who pays a dry-cleaning~~  
17 ~~facility registration surcharge pursuant to this section with a receipt. The receipt~~  
18 ~~or the copy of the receipt shall be produced for inspection at the request of any~~  
19 ~~authorized representative of the department.~~

20 ~~4. All moneys collected or received by the department pursuant to this~~  
21 ~~section shall be transmitted to the department of revenue for deposit in the state~~  
22 ~~treasury to the credit of the dry-cleaning environmental response trust fund~~  
23 ~~created in section 260.920. Following each annual reporting date, the state~~  
24 ~~treasurer shall certify the amount deposited in the fund to the department.~~

25 ~~5. If any person does not pay the active dry-cleaning facility registration~~  
26 ~~surcharge or any portion of the active dry-cleaning facility registration surcharge~~  
27 ~~imposed by this section by the date prescribed for such payment, the department~~  
28 ~~shall impose and such person shall pay, in addition to the active dry-cleaning~~  
29 ~~facility registration surcharge owed by such person, a penalty of fifteen percent~~

29 ~~of the active dry-cleaning facility registration surcharge. Such penalty shall be~~  
30 ~~deposited in the dry-cleaning environmental response trust fund.~~

31 ~~6. If any person does not pay the active dry-cleaning facility registration~~  
32 ~~surcharge or any portion of the active dry-cleaning facility registration surcharge~~  
33 ~~imposed by this section by the date prescribed for such payment, the department~~  
34 ~~shall also impose interest upon the unpaid amount at the rate of ten percent per~~  
35 ~~annum from the date prescribed for the payment of such surcharge and penalties~~  
36 ~~until payment is actually made. Such interest shall be deposited in the~~  
37 ~~dry-cleaning environmental response trust fund.]~~

38

2 ~~[260.940. 1. Every seller or provider of dry-cleaning solvent for use in~~  
3 ~~this state shall pay, in addition to any other environmental response surcharges,~~  
4 ~~a dry-cleaning solvent surcharge on the sale or provision of dry-cleaning solvent.~~

5 ~~2. The amount of the dry-cleaning solvent surcharge imposed by this~~  
6 ~~section on each gallon of dry-cleaning solvent shall be an amount equal to the~~  
7 ~~product of the solvent factor for the dry-cleaning solvent and the rate of eight~~  
8 ~~dollars per gallon.~~

9 ~~3. The solvent factor for each dry-cleaning solvent is as follows:~~

10 ~~(1) For perchloroethylene, the solvent factor is 1.00;~~

11 ~~(2) For 1,1,1-trichloroethane, the solvent factor is 1.00; and~~

12 ~~(3) For other chlorinated dry-cleaning solvents, the solvent factor is 1.00.~~

13 ~~4. In the case of a fraction of a gallon, the dry-cleaning solvent surcharge~~  
14 ~~imposed by this section shall be the same fraction of the fee imposed on a whole~~  
15 ~~gallon.~~

16 ~~5. The dry-cleaning solvent surcharge required in this section shall be~~  
17 ~~paid to the department by the seller or provider of the dry-cleaning solvent,~~  
18 ~~regardless of the location of such seller or provider.~~

19 ~~6. The dry-cleaning solvent surcharge required in this section shall be~~  
20 ~~paid by the seller or provider on a quarterly basis and shall be paid to the~~  
21 ~~department for the previous quarter. The commission shall prescribe by~~  
22 ~~administrative rule the procedure for the payment required by this section.~~

23 ~~7. The department shall provide each person who pays a dry-cleaning~~  
24 ~~solvent surcharge pursuant to this section with a receipt. The receipt or the copy~~  
25 ~~of the receipt shall be produced for inspection at the request of any authorized~~  
26 ~~representative of the department.~~

27 ~~8. All moneys collected or received by the department pursuant to this~~  
28 ~~section shall be transmitted to the department of revenue for deposit in the state~~  
29 ~~treasury to the credit of the dry-cleaning environmental response trust fund~~  
30 ~~created in section 260.920. Following each annual or quarterly reporting date,~~  
31 ~~the state treasurer shall certify the amount deposited to the department.~~

32 ~~9. If any seller or provider of dry-cleaning solvent fails or refuses to pay~~  
33 ~~the dry-cleaning solvent surcharge imposed by this section, the department shall~~  
impose and such seller or provider shall pay, in addition to the dry-cleaning

34 ~~solvent surcharge owed by the seller or provider, a penalty of fifteen percent of~~  
35 ~~the dry-cleaning solvent surcharge. Such penalty shall be deposited in the~~  
36 ~~dry-cleaning environmental response trust fund.~~

37 ~~10. If any person does not pay the dry-cleaning solvent surcharge or any~~  
38 ~~portion of the dry-cleaning solvent surcharge imposed by this section by the date~~  
39 ~~prescribed for such payment, the department shall impose and such person shall~~  
40 ~~pay interest upon the unpaid amount at the rate of ten percent per annum from the~~  
41 ~~date prescribed for the payment of such surcharge and penalties until payment is~~  
42 ~~actually made. Such interest shall be deposited in the dry-cleaning environmental~~  
43 ~~response trust fund.~~

44 ~~11. An operator of a dry-cleaning facility shall not purchase or obtain~~  
45 ~~solvent from a seller or provider who does not pay the dry-cleaning solvent~~  
46 ~~charge, as provided in this section. Any operator of a dry-cleaning facility who~~  
47 ~~fails to obey the provisions of this section shall be required to pay the~~  
48 ~~dry-cleaning solvent surcharge as provided in subsections 2, 3 and 4 of this~~  
49 ~~section for any dry-cleaning solvent purchased or obtained from a seller or~~  
50 ~~provider who fails to pay the proper dry-cleaning solvent surcharge as determined~~  
51 ~~by the department. Any operator of a dry-cleaning facility who fails to follow the~~  
52 ~~provisions of this subsection shall also be charged a penalty of fifteen percent of~~  
53 ~~the dry-cleaning solvent surcharge owed. Any operator of a dry-cleaning facility~~  
54 ~~who fails to obey the provisions of this subsection shall also be subject to the~~  
55 ~~interest provisions of subsection 10 of this section. If a seller or provider of~~  
56 ~~dry-cleaning solvent charges the operator of a dry-cleaning facility the~~  
57 ~~dry-cleaning solvent surcharge provided for in this section when the solvent is~~  
58 ~~purchased or obtained by the operator and the operator can prove that the~~  
59 ~~operator made full payment of the surcharge to the seller or provider but the seller~~  
60 ~~or provider fails to pay the surcharge to the department as required by this~~  
61 ~~section, then the operator shall not be liable pursuant to this subsection for~~  
62 ~~interest, penalties or the seller's or provider's unpaid surcharge. Such surcharges,~~  
63 ~~penalties and interest shall be collected by the department, and all moneys~~  
64 ~~collected pursuant to this subsection shall be deposited in the dry-cleaning~~  
65 ~~environmental response trust fund.]~~

66

2 ~~[260.945. 1. If the unobligated principal of the fund equals or exceeds~~  
3 ~~five million dollars on April first of any year, the active dry-cleaning facility~~  
4 ~~registration surcharge imposed by section 260.935 and the dry-cleaning solvent~~  
5 ~~surcharge imposed by section 260.940 shall not be collected on or after the next~~  
6 ~~July first until such time as on April first of any year thereafter the unobligated~~  
7 ~~principal balance of the fund equals two million dollars or less, then the active~~  
8 ~~dry-cleaning facility registration surcharge imposed by section 260.935 and the~~  
9 ~~dry-cleaning solvent surcharge imposed by section 260.940 shall again be~~  
collected on and after the next July first.

10 ~~2. Not later than April fifth of each year, the state treasurer shall notify~~  
11 ~~the department of the amount of the unobligated balance of the fund on April first~~  
12 ~~of such year. Upon receipt of the notice, the department shall notify the public~~  
13 ~~if the active dry-cleaning facility registration surcharge imposed by section~~  
14 ~~260.935 and the dry-cleaning solvent surcharge imposed by section 260.940 will~~  
15 ~~terminate or be payable on the following July first.~~

16 ~~3. Moneys in the fund shall not be expended pursuant to sections 260.900~~  
17 ~~to 260.960 prior to July 1, 2002.]~~  
18

~~[260.950. 1. All final orders and determinations of the commission or~~  
2 ~~the department made pursuant to the provisions of sections 260.900 to 260.960~~  
3 ~~are subject to judicial review pursuant to the provisions of chapter 536. All final~~  
4 ~~orders and determinations shall be deemed administrative decisions as that term~~  
5 ~~is defined in chapter 536; provided that, no judicial review shall be available,~~  
6 ~~unless all administrative remedies are exhausted.~~

7 ~~2. In any suit filed pursuant to section 536.050 concerning the validity of~~  
8 ~~the commission's or department's standards, rules or regulations, the court shall~~  
9 ~~review the record made before the commission or department to determine the~~  
10 ~~validity and such reasonableness of such standards, rules or regulations and may~~  
11 ~~hear such additional evidence as it deems necessary.]~~  
12

~~[260.955. The department shall annually transmit a report to the general~~  
2 ~~assembly and the governor regarding:~~

3 ~~(1) Receipts of the fund during the preceding calendar year and the~~  
4 ~~sources of the receipts;~~

5 ~~(2) Disbursements from the fund during the preceding calendar year and~~  
6 ~~the purposes of the disbursements;~~

7 ~~(3) The extent of corrective action taken pursuant to sections 260.900 to~~  
8 ~~260.960 during the preceding calendar year; and~~

9 ~~(4) The prioritization of sites for expenditures from the fund.]~~  
10

~~[260.960. Any rule or portion of a rule, as that term is defined in section~~  
2 ~~536.010, that is created under the authority delegated in this section shall become~~  
3 ~~effective only if it complies with and is subject to all of the provisions of chapter~~  
4 ~~536 and, if applicable, section 536.028. This section and chapter 536 are~~  
5 ~~nonseverable and if any of the powers vested with the general assembly pursuant~~  
6 ~~to chapter 536 to review, to delay the effective date or to disapprove and annul~~  
7 ~~a rule are subsequently held unconstitutional, then the grant of rulemaking~~  
8 ~~authority and any rule proposed or adopted after the effective date of this act shall~~  
9 ~~be invalid and void.]~~  
10

~~[260.965. The provisions of sections 260.900 to 260.965 shall expire~~  
2 ~~August 28, 2017.]~~

3 EXPLANATION: These sections expired 8-28-2017.  
4

~~[288.501. Notwithstanding any other provision of law to the contrary:~~

2 ~~(1) If a claimant does not have sufficient wages in the base period to be~~  
3 ~~an insured worker, as those terms are defined in section 288.030, the individual's~~  
4 ~~base period shall be the four most recently completed calendar quarters preceding~~  
5 ~~the first day of the individual's benefit year. Such base period shall be known as~~  
6 ~~the "alternate base period". If information as to wages for the most recent quarter~~  
7 ~~of the alternate base period is not available to the deputy from the regular~~  
8 ~~quarterly reports of wage information, which are systematically accessible, the~~  
9 ~~deputy may base the determination of eligibility for benefits on the affidavit of~~  
10 ~~the claimant with respect to wages for that calendar quarter. The claimant shall~~  
11 ~~furnish payroll documentation, where available, in support of the affidavit. The~~  
12 ~~determination based upon the alternate base period as it relates to the claimant's~~  
13 ~~benefit rights shall be amended if the quarterly report of wage information from~~  
14 ~~the employer is timely received and that information causes a change in the~~  
15 ~~determination. No calendar quarter in a base period or alternate base period for~~  
16 ~~a claimant's current benefit year shall be used to establish a subsequent benefit~~  
17 ~~year;~~

18 ~~(2) The claimant shall not be disqualified from unemployment~~  
19 ~~compensation for separating from employment if that separation is for any~~  
20 ~~compelling family reason. For the purposes of this section, the term "compelling~~  
21 ~~family reason" shall mean:~~

22 ~~(a) The illness or disability of a member of the claimant's immediate~~  
23 ~~family, which shall include the claimant's spouse, parent, or minor child under~~  
24 ~~the age of eighteen;~~

25 ~~(b) The need for the claimant to accompany such claimant's spouse to a~~  
26 ~~location from which it is impractical for the claimant to commute and due to a~~  
27 ~~change in location of the spouse's employment;~~

28 ~~(c) Domestic violence, verified by reasonable and confidential~~  
29 ~~documentation, which causes the claimant reasonably to believe that the~~  
30 ~~claimant's continued employment would jeopardize the safety of the claimant or~~  
31 ~~of any member of the claimant's family, as defined by the United States Secretary~~  
32 ~~of Labor;~~

33 ~~(3) A claimant who has commenced training under the Workforce~~  
34 ~~Investment Act of 1998, or director-approved training under section 288.055, and~~  
35 ~~has exhausted the claimant's regular unemployment benefits shall be eligible for~~  
36 ~~additional unemployment benefits, not to exceed twenty-six times the claimant's~~  
37 ~~weekly benefit amount. The weekly benefit amount shall be the same as the~~  
38 ~~claimant's regular weekly benefit amount and shall be paid under the same terms~~  
39 ~~and conditions as regular benefits. These training benefits shall be paid after any~~  
40 ~~extended benefits or any similar benefits paid by a federally funded program;~~

41 ~~\_\_\_\_\_ (4) Priority for training funds provided under subdivision (3) of this~~  
 42 ~~section shall be given to claimants laid off through no fault of their own from~~  
 43 ~~Missouri automobile manufacturing facilities;~~

44 ~~\_\_\_\_\_ (5) No charges shall be made against an employer's account in respect to~~  
 45 ~~benefits paid to a claimant under this section;~~

46 ~~\_\_\_\_\_ (6) The director shall separately track payments that were made under~~  
 47 ~~this section. Once the amount of payments exceeds the amount of federal~~  
 48 ~~incentive funds made available because of the enactment of this section, the~~  
 49 ~~unemployment compensation fund shall be reimbursed from general revenue for~~  
 50 ~~all subsequent payments to the claimants;~~

51 ~~\_\_\_\_\_ (7) The provisions of this section shall be subject to renewal in the~~  
 52 ~~second regular session of the ninety-fifth general assembly. If not renewed, the~~  
 53 ~~provisions of this section shall expire once the funds provided under the~~  
 54 ~~American Recovery and Reinvestment Act of 2009 are expended as provided in~~  
 55 ~~this section;~~

56 ~~\_\_\_\_\_ (8) The provisions of this section shall not take effect, and no benefits~~  
 57 ~~paid under this section, unless first certified by the United States Secretary of~~  
 58 ~~Labor under 42 U.S.C. 1103, as amended by the American Recovery and~~  
 59 ~~Reinvestment Act of 2009.]~~

60

61 EXPLANATION: This section was not renewed in 2010 by the 95th General  
 62 Assembly as required under subdivision (7) and has not been certified by the  
 63 United States Department of Labor in order to take effect under subdivision (8)  
 64 of this section.

65

2 ~~[319.140. 1. There is established a task force of the general assembly to~~  
 3 ~~be known as the "Task Force on the Petroleum Storage Tank Insurance Fund".~~  
 4 ~~Such task force shall be composed of eight members. Three members shall be~~  
 5 ~~from the house of representatives with two appointed by the speaker of the house~~  
 6 ~~of representatives and one appointed by the minority floor leader of the house of~~  
 7 ~~representatives. Three members shall be from the senate with two appointed by~~  
 8 ~~the president pro tempore of the senate and one appointed by the minority floor~~  
 9 ~~leader of the senate. Two members shall be industry stakeholders with one~~  
 10 ~~appointed by the speaker of the house of representatives and one appointed by the~~  
 11 ~~president pro tempore of the senate. No more than two members from either the~~  
 12 ~~house of representatives or the senate shall be from the same political party. A~~  
 13 ~~majority of the task force shall constitute a quorum.~~

14 ~~\_\_\_\_\_ 2. The task force shall conduct research and compile a report for delivery~~  
 15 ~~to the general assembly by December 31, 2018, on the following:~~

16 ~~\_\_\_\_\_ (1) The efficacy of the petroleum storage tank insurance fund and~~  
 17 ~~program;~~

18 ~~\_\_\_\_\_ (2) The sustainability of the petroleum storage tank insurance fund and~~  
 19 ~~program;~~



- 19 ~~\_\_\_\_\_ (3) The administration of the petroleum storage tank insurance fund and~~  
 20 ~~program;~~
- 21 ~~\_\_\_\_\_ (4) The availability of private insurance for above- and below-ground~~  
 22 ~~petroleum storage tanks, and the necessity of insurance subsidies created through~~  
 23 ~~the petroleum storage tank insurance program;~~
- 24 ~~\_\_\_\_\_ (5) Compliance with federal programs, regulations, and advisory reports;~~  
 25 ~~and~~
- 26 ~~\_\_\_\_\_ (6) The comparability of the petroleum storage tank insurance program~~  
 27 ~~to other states' programs and states without such programs:~~
- 28 ~~\_\_\_\_\_ 3. The task force shall meet within thirty days after its creation and~~  
 29 ~~organize by selecting a chairperson and vice chairperson, one of whom shall be~~  
 30 ~~a member of the senate and the other a member of the house of representatives.~~  
 31 ~~Thereafter, the task force may meet as often as necessary in order to accomplish~~  
 32 ~~the tasks assigned to it.~~
- 33 ~~\_\_\_\_\_ 4. The task force shall be staffed by legislative staff as necessary to assist~~  
 34 ~~the task force in the performance of its duties.~~
- 35 ~~\_\_\_\_\_ 5. The members of the task force shall serve without compensation but~~  
 36 ~~shall be entitled to reimbursement for actual and necessary expenses incurred in~~  
 37 ~~the performance of their official duties.~~
- 38 ~~\_\_\_\_\_ 6. This section shall expire on December 31, 2018.]~~

39  
 40  
 41

EXPLANATION: This section expired 12-31-2018.

- 2 ~~[320.093. 1. Any person, firm or corporation who purchases a dry fire~~  
 3 ~~hydrant, as defined in section 320.273, or provides an acceptable means of water~~  
 4 ~~storage for such dry fire hydrant including a pond, tank or other storage facility~~  
 5 ~~with the primary purpose of fire protection within the state of Missouri, shall be~~  
 6 ~~eligible for a credit on income taxes otherwise due pursuant to chapter 143,~~  
 7 ~~except sections 143.191 to 143.261, as an incentive to implement safe and~~  
 8 ~~efficient fire protection controls. The tax credit, not to exceed five thousand~~  
 9 ~~dollars, shall be equal to fifty percent of the cost in actual expenditure for any~~  
 10 ~~new water storage construction, equipment, development and installation of the~~  
 11 ~~dry hydrant, including pipes, valves, hydrants and labor for each such installation~~  
 12 ~~of a dry hydrant or new water storage facility. The amount of the tax credit~~  
 13 ~~claimed for in-kind contributions shall not exceed twenty-five percent of the total~~  
 14 ~~amount of the contribution for which the tax credit is claimed.~~
- 15 ~~\_\_\_\_\_ 2. Any amount of credit which exceeds the tax due shall not be refunded~~  
 16 ~~but may be carried over to any subsequent taxable year, not to exceed seven~~  
 17 ~~years. The person, firm or corporation may elect to assign to a third party the~~  
 18 ~~approved tax credit. The certificate of assignment and other appropriate forms~~  
 19 ~~shall be filed with the Missouri department of revenue and the department of~~  
 20 ~~economic development.~~

20 ~~3. The person, firm or corporation shall make application for the credit~~  
21 ~~to the department of economic development after receiving approval of the state~~  
22 ~~fire marshal. The fire marshal shall establish by rule promulgated pursuant to~~  
23 ~~chapter 536 the requirements to be met based on the National Resources~~  
24 ~~Conservation Service's Dry Hydrant Standard. The state fire marshal or~~  
25 ~~designated local representative shall review and authorize the construction and~~  
26 ~~installation of any dry fire hydrant site. Only approved dry fire hydrant sites shall~~  
27 ~~be eligible for tax credits as indicated in this section. Under no circumstance~~  
28 ~~shall such authority deny any entity the ability to provide a dry fire hydrant site~~  
29 ~~when tax credits are not requested.~~

30 ~~4. The department of public safety shall certify to the department of~~  
31 ~~revenue that the dry hydrant system meets the requirements to obtain a tax credit~~  
32 ~~as specified in subsection 5 of this section.~~

33 ~~5. In order to qualify for a tax credit under this section, a dry hydrant or~~  
34 ~~new water storage facility shall meet the following minimum requirements:~~

35 ~~(1) Each body of water or water storage structure shall be able to provide~~  
36 ~~two hundred fifty gallons per minute for a continuous two-hour period during a~~  
37 ~~fifty-year drought or freeze at a vertical lift of eighteen feet;~~

38 ~~(2) Each dry hydrant shall be located within twenty-five feet of an~~  
39 ~~all-weather roadway and shall be accessible to fire protection equipment;~~

40 ~~(3) Dry hydrants shall be located a reasonable distance from other dry or~~  
41 ~~pressurized hydrants; and~~

42 ~~(4) The site shall provide a measurable economic improvement potential~~  
43 ~~for rural development.~~

44 ~~6. New credits shall not be awarded under this section after August 28,~~  
45 ~~2010. The total amount of all tax credits allowed pursuant to this section is five~~  
46 ~~hundred thousand dollars in any one fiscal year as approved by the director of the~~  
47 ~~department of economic development.~~

48 ~~7. Any rule or portion of a rule, as that term is defined in section 536.010,~~  
49 ~~that is created under the authority delegated in this section shall become effective~~  
50 ~~only if it complies with and is subject to all of the provisions of chapter 536 and,~~  
51 ~~if applicable, section 536.028. This section and chapter 536 are nonseverable and~~  
52 ~~if any of the powers vested with the general assembly pursuant to chapter 536 to~~  
53 ~~review, to delay the effective date or to disapprove and annul a rule are~~  
54 ~~subsequently held unconstitutional, then the grant of rulemaking authority and~~  
55 ~~any rule proposed or adopted after August 28, 2007, shall be invalid and void.]~~

56  
57 EXPLANATION: The authority to issue new tax credits under this section  
58 expired 8-28-2010 (7-year carry forward of credit allowed under subsection 2  
59 until 8-28-2017).

60  
2 ~~[334.153. 1. No person other than a physician licensed under this chapter~~  
~~shall perform the following interventions in the course of diagnosing or treating~~

3 pain which is chronic, persistent and intractable, or occurs outside of a surgical,  
4 obstetrical, or postoperative course of care:

5 ~~————— (1) Ablation of targeted nerves;~~

6 ~~————— (2) Percutaneous precision needle placement within the spinal column  
7 with placement of drugs, such as local anesthetics, steroids, and analgesics, in the  
8 spinal column under fluoroscopic guidance. The provisions of this subdivision  
9 shall not apply to interlaminar lumbar epidural injections performed in a hospital  
10 as defined in section 197.020 or an ambulatory surgery center as defined in  
11 section 197.200 if the standard of care for Medicare reimbursement for  
12 interlaminar or translaminar lumbar epidural injections is changed after August  
13 28, 2012, to allow reimbursement only with the use of image guidance; or~~

14 ~~————— (3) Laser or endoscopic discectomy, or the surgical placement of  
15 intrathecal infusion pumps, and or spinal cord stimulators.~~

16 ~~————— 2. Nothing in this section shall be construed to prohibit or restrict the  
17 performance of surgical or obstetrical anesthesia services or postoperative pain  
18 control by a certified registered nurse anesthetist pursuant to subsection 7 of  
19 section 334.104 or by an anesthesiologist assistant licensed pursuant to sections  
20 334.400 to 334.434.~~

21 ~~————— 3. The state board of registration for the healing arts may promulgate  
22 rules to implement the provisions of this section, except that such authority shall  
23 not apply to rulemaking authority to define or regulate the scope of practice of  
24 certified registered nurse anesthetists. Any rule or portion of a rule, as that term  
25 is defined in section 536.010, that is created under the authority delegated in this  
26 section shall become effective only if it complies with and is subject to all of the  
27 provisions of chapter 536 and, if applicable, section 536.028. This section and  
28 chapter 536 are nonseverable and if any of the powers vested with the general  
29 assembly pursuant to chapter 536 to review, to delay the effective date, or to  
30 disapprove and annul a rule are subsequently held unconstitutional, then the grant  
31 of rulemaking authority and any rule proposed or adopted after August 28, 2012,  
32 shall be invalid and void.~~

33 ~~————— 4. The provisions of this section shall automatically expire four years  
34 after August 28, 2012, unless reauthorized by an act of the general assembly.]~~

35  
36 EXPLANATION: This section expired 08-28-2016.  
37

2 ~~[338.320. 1. There is hereby established the "Missouri Electronic Prior  
3 Authorization Committee" in order to facilitate, monitor, and report to the general  
4 assembly on Missouri-based efforts to contribute to the establishment of national  
5 electronic prior authorization standards. Such efforts shall include the  
6 Missouri-based electronic prior authorization pilot program established under  
7 subsection 5 of this section and the study and dissemination of information by the  
8 committee of the efforts of the National Council on Prescription Drug Programs  
(NCPDP) to develop national electronic prior authorization standards. The~~

9 ~~committee shall advise the general assembly and the department of commerce~~  
10 ~~and insurance as to whether there is a need for administrative rules to be~~  
11 ~~promulgated by the department of commerce and insurance as soon as practically~~  
12 ~~possible.~~

13 ~~2. The Missouri electronic prior authorization committee shall consist of~~  
14 ~~the following members:~~

15 ~~(1) Two members of the senate, appointed by the president pro tempore~~  
16 ~~of the senate;~~

17 ~~(2) Two members of the house of representatives, appointed by the~~  
18 ~~speaker of the house of representatives;~~

19 ~~(3) One member from an organization of licensed physicians in the state;~~

20 ~~(4) One member who is a physician licensed in Missouri pursuant to~~  
21 ~~chapter 334;~~

22 ~~(5) One member who is a representative of a Missouri pharmacy benefit~~  
23 ~~management company;~~

24 ~~(6) One member from an organization representing licensed pharmacists~~  
25 ~~in the state;~~

26 ~~(7) One member from the business community representing businesses~~  
27 ~~on health insurance issues;~~

28 ~~(8) One member from an organization representing the leading~~  
29 ~~research-based pharmaceutical and biotechnology companies;~~

30 ~~(9) One member from an organization representing the largest generic~~  
31 ~~pharmaceutical trade association;~~

32 ~~(10) One patient advocate;~~

33 ~~(11) One member from an electronic prescription network that facilitates~~  
34 ~~the secure electronic exchange of clinical information between physicians,~~  
35 ~~pharmacies, payers, and pharmacy benefit managers and other health care~~  
36 ~~providers;~~

37 ~~(12) One member from a Missouri-based electronic health records~~  
38 ~~company;~~

39 ~~(13) One member from an organization representing the largest number~~  
40 ~~of hospitals in the state;~~

41 ~~(14) One member from a health carrier as such term is defined under~~  
42 ~~section 376.1350;~~

43 ~~(15) One member from an organization representing the largest number~~  
44 ~~of health carriers in the state, as such term is defined under section 376.1350;~~

45 ~~(16) The director of the department of social services, or the director's~~  
46 ~~designee;~~

47 ~~(17) The director of the department of commerce and insurance, who~~  
48 ~~shall be chair of the committee.~~

49 ~~3. All of the members, except for the members from the general~~  
50 ~~assembly, shall be appointed by the governor no later than September 1, 2012;~~

51 with the advice and consent of the senate. The staff of the department of  
52 commerce and insurance shall provide assistance to the committee.

53 ~~4. The duties of the committee shall be as follows:~~

54 ~~(1) Before February 1, 2019, monitor and report to the general assembly~~  
55 ~~on the Missouri-based electronic prior authorization pilot program created under~~  
56 ~~subsection 5 of this section including a report of the outcomes and best practices~~  
57 ~~developed as a result of the pilot program and how such information can be used~~  
58 ~~to inform the national standard-setting process;~~

59 ~~(2) Obtain specific updates from the NCPDP and other pharmacy benefit~~  
60 ~~managers and vendors that are currently engaged in pilot programs working~~  
61 ~~toward national electronic prior authorization standards;~~

62 ~~(3) Correspond and collaborate with the NCPDP and other such pilots~~  
63 ~~through the exchange of information and ideas;~~

64 ~~(4) Assist, when asked by the pharmacy benefit manager, with the~~  
65 ~~development of the pilot program created under subsection 5 of this section with~~  
66 ~~an understanding of information on the success and failures of other pilot~~  
67 ~~programs across the country;~~

68 ~~(5) Prepare a report at the end of each calendar year to be distributed to~~  
69 ~~the general assembly and governor with a summary of the committee's progress~~  
70 ~~and plans for the next calendar year, including a report on Missouri-based efforts~~  
71 ~~to contribute to the establishment of national electronic prior authorization~~  
72 ~~standards. Such annual report shall continue until such time as the NCPDP has~~  
73 ~~established national electronic prior authorization standards or this section has~~  
74 ~~expired, whichever is sooner. The first report shall be completed before January~~  
75 ~~1, 2013;~~

76 ~~(6) Upon the adoption of national electronic prior authorization standards~~  
77 ~~by the NCPDP, prepare a final report to be distributed to the general assembly~~  
78 ~~and governor that identifies the appropriate Missouri administrative regulations,~~  
79 ~~if any, that will need to be promulgated by the department of commerce and~~  
80 ~~insurance, in order to make those standards effective as soon as practically~~  
81 ~~possible, and advise the general assembly and governor if there are any legislative~~  
82 ~~actions necessary to the furtherance of that end.~~

83 ~~5. The department of commerce and insurance and the Missouri~~  
84 ~~electronic prior authorization committee shall recruit a Missouri-based pharmacy~~  
85 ~~benefits manager doing business nationally to volunteer to conduct an electronic~~  
86 ~~prior authorization pilot program in Missouri. The pharmacy benefits manager~~  
87 ~~conducting the pilot program shall ensure that there are adequate Missouri~~  
88 ~~licensed physicians and an electronic prior authorization vendor capable and~~  
89 ~~willing to participate in a Missouri-based pilot program. Such pilot program~~  
90 ~~established under this section shall be operational by January 1, 2014. The~~  
91 ~~department and the committee may provide advice or assistance to the pharmacy~~  
92 ~~benefit manager conducting the pilot program but shall not maintain control or~~  
93 ~~lead with the direction of the pilot program.~~

94 ~~6. Pursuant to section 23.253 of the Missouri sunset act:~~  
 95 ~~(1) The provisions of the new program authorized under this section shall~~  
 96 ~~sunset automatically six years after August 28, 2012, unless reauthorized by an~~  
 97 ~~act of the general assembly; and~~  
 98 ~~(2) If such program is reauthorized, the program authorized under this~~  
 99 ~~section shall sunset automatically twelve years after the effective date of the~~  
 100 ~~reauthorization of this section; and~~  
 101 ~~(3) This section shall terminate on September first of the calendar year~~  
 102 ~~immediately following the calendar year in which the program authorized under~~  
 103 ~~this section is sunset.]~~

104  
 105 EXPLANATION: This section sunset 8-28-2018. NOTE: No Sunset Review  
 106 Report was prepared on this section.  
 107

~~[393.1073. 1. There is hereby established the "Task Force on Wind~~  
 2 ~~Energy", which shall be composed of the following members:~~  
 3 ~~(1) Three members of the house of representatives, with two appointed~~  
 4 ~~by the speaker of the house of representatives and one appointed by the minority~~  
 5 ~~floor leader of the house of representatives;~~  
 6 ~~(2) Three members of the senate, with two appointed by the president pro~~  
 7 ~~tempore of the senate and one appointed by the minority floor leader of the~~  
 8 ~~senate; and~~  
 9 ~~(3) Two representatives from Missouri county governments with~~  
 10 ~~experience in wind energy valuations, with one being a currently elected county~~  
 11 ~~assessor to be appointed by the speaker of the house of representatives, and one~~  
 12 ~~being a currently elected county clerk to be appointed by the president pro~~  
 13 ~~tempore of the senate.~~  
 14 ~~2. The task force shall conduct public hearings and research, and shall~~  
 15 ~~compile a report for delivery to the general assembly by no later than December~~  
 16 ~~31, 2019. Such report shall include information on the following:~~  
 17 ~~(1) The economic benefits and drawbacks of wind turbines to local~~  
 18 ~~communities and the state;~~  
 19 ~~(2) The fair, uniform, and standardized assessment and taxation of wind~~  
 20 ~~turbines and their connected equipment owned by a public utility company at the~~  
 21 ~~county level in all counties;~~  
 22 ~~(3) Compliance with existing federal and state programs and regulations;~~  
 23 ~~and~~  
 24 ~~(4) Potential legislation that will provide a uniform assessment and~~  
 25 ~~taxation methodology for wind turbines and their connected equipment owned~~  
 26 ~~by a public utility company that will be used in every county of Missouri.~~  
 27 ~~3. The task force shall meet within thirty days after its creation and shall~~  
 28 ~~organize by selecting a chairperson and vice chairperson, one of whom shall be~~  
 29 ~~a member of the senate and the other a member of the house of representatives.~~

30 ~~Thereafter, the task force may meet as often as necessary in order to accomplish~~  
31 ~~the tasks assigned to it. A majority of the task force shall constitute a quorum,~~  
32 ~~and a majority vote of such quorum shall be required for any action.~~

33 ~~4. The staff of house research and senate research shall provide necessary~~  
34 ~~clerical, research, fiscal, and legal services to the task force, as the task force may~~  
35 ~~request.~~

36 ~~5. The members of the task force shall serve without compensation, but~~  
37 ~~any actual and necessary expenses incurred in the performance of the task force's~~  
38 ~~official duties by the task force, its members, and any staff assigned to the task~~  
39 ~~force shall be paid from the joint contingent fund.~~

40 ~~6. This section shall expire on December 31, 2019.]~~

41

42 EXPLANATION: This section expired 12-31-2019.

43

~~[454.849. The repeal of sections 454.850 to 454.999 shall become~~  
2 ~~effective June 15, 2016.]~~

3

4 EXPLANATION: This section became obsolete after the 2016 repeal of sections  
5 454.850 to 454.999.

6

~~[476.1000. All courts that require mandatory electronic filing shall~~  
2 ~~accept, file, and docket a notice of entry of appearance filed by an attorney in a~~  
3 ~~criminal case if such filing does not exceed one page in length and was sent by~~  
4 ~~fax or regular mail. The provisions of this section shall expire on December 31,~~  
5 ~~2016.]~~

6

7 EXPLANATION: This section expired 12-31-2016.

8

~~[559.117. 1. The director of the department of corrections is authorized~~  
2 ~~to establish, as a three-year pilot program, a mental health assessment process.~~

3 ~~2. Only upon a motion filed by the prosecutor in a criminal case, the~~  
4 ~~judge who is hearing the criminal case in a participating county may request that~~  
5 ~~an offender be placed in the department of corrections for one hundred twenty~~  
6 ~~days for a mental health assessment and for treatment if it appears that the~~  
7 ~~offender has a mental disorder or mental illness such that the offender may~~  
8 ~~qualify for probation including community psychiatric rehabilitation (CPR)~~  
9 ~~programs and such probation is appropriate and not inconsistent with public~~  
10 ~~safety. Before the judge rules upon the motion, the victim shall be given notice~~  
11 ~~of such motion and the opportunity to be heard. Upon recommendation of the~~  
12 ~~court, the department shall determine the offender's eligibility for the mental~~  
13 ~~health assessment process.~~

14 ~~3. Following this assessment and treatment period, an assessment report~~  
15 ~~shall be sent to the sentencing court and the sentencing court may, if appropriate,~~

16 ~~release the offender on probation. The offender shall be supervised on probation~~  
 17 ~~by a state probation and parole officer, who shall work cooperatively with the~~  
 18 ~~department of mental health to enroll eligible offenders in community psychiatric~~  
 19 ~~rehabilitation (CPR) programs.~~

20 ~~4. Notwithstanding any other provision of law, probation shall not be~~  
 21 ~~granted under this section to offenders who:~~

22 ~~(1) Have been found guilty of, or plead guilty to, murder in the second~~  
 23 ~~degree under section 565.021;~~

24 ~~(2) Have been found guilty of, or plead guilty to, rape in the first degree~~  
 25 ~~under section 566.030 or forcible rape under section 566.030 as it existed prior~~  
 26 ~~to August 28, 2013;~~

27 ~~(3) Have been found guilty of, or plead guilty to, statutory rape in the first~~  
 28 ~~degree under section 566.032;~~

29 ~~(4) Have been found guilty of, or plead guilty to, sodomy in the first~~  
 30 ~~degree under section 566.060 or forcible sodomy under section 566.060 as it~~  
 31 ~~existed prior to August 28, 2013;~~

32 ~~(5) Have been found guilty of, or plead guilty to, statutory sodomy in the~~  
 33 ~~first degree under section 566.062;~~

34 ~~(6) Have been found guilty of, or plead guilty to, child molestation in the~~  
 35 ~~first degree under section 566.067 when classified as a class A felony;~~

36 ~~(7) Have been found to be a predatory sexual offender under section~~  
 37 ~~566.125; or~~

38 ~~(8) Have been found guilty of, or plead guilty to, any offense for which~~  
 39 ~~there exists a statutory prohibition against either probation or parole.~~

40 ~~5. At the end of the three-year pilot, the director of the department of~~  
 41 ~~corrections and the director of the department of mental health shall jointly~~  
 42 ~~submit recommendations to the governor and to the general assembly by~~  
 43 ~~December 31, 2015, on whether to expand the process statewide.]~~

44  
 45 EXPLANATION: Authorization for the three-year pilot project expired 12-31-  
 46 2015.

47  
 2 ~~[620.1910. 1. This section shall be known and may be cited as the~~  
 3 ~~"Manufacturing Jobs Act".~~

4 ~~2. As used in this section, the following terms mean:~~

5 ~~(1) "Approval", a document submitted by the department to the qualified~~  
 6 ~~manufacturing company or qualified supplier that states the benefits that may be~~  
 7 ~~provided under this section;~~

8 ~~(2) "Capital investment", expenditures made by a qualified~~  
 9 ~~manufacturing company to retool or reconfigure a manufacturing facility directly~~  
 10 ~~related to the manufacturing of a new product or the expansion or modification~~  
 of the manufacture of an existing product;



- 11 ~~\_\_\_\_\_ (3) "County average wage", the same meaning as such term is defined in~~  
12 ~~section 620.1878;~~
- 13 ~~\_\_\_\_\_ (4) "Department", the department of economic development;~~
- 14 ~~\_\_\_\_\_ (5) "Facility", a building or buildings located in Missouri at which the~~  
15 ~~qualified manufacturing company manufactures a product;~~
- 16 ~~\_\_\_\_\_ (6) "Full-time job", a job for which a person is compensated for an~~  
17 ~~average of at least thirty-five hours per week for a twelve-month period, and one~~  
18 ~~for which the qualified manufacturing company or qualified supplier offers health~~  
19 ~~insurance and pays at least fifty percent of such insurance premiums;~~
- 20 ~~\_\_\_\_\_ (7) "NAICS industry classification", the most recent edition of the North~~  
21 ~~American Industry Classification System as prepared by the Executive Office of~~  
22 ~~the President, Office of Management and Budget;~~
- 23 ~~\_\_\_\_\_ (8) "New job", the same meaning as such term is defined in section~~  
24 ~~620.1878;~~
- 25 ~~\_\_\_\_\_ (9) "New product", a new model or line of a manufactured good that has~~  
26 ~~not been manufactured in Missouri by the qualified manufacturing company at~~  
27 ~~any time prior to the date of the notice of intent, or an existing brand, model, or~~  
28 ~~line of a manufactured good that is redesigned with more than seventy-five~~  
29 ~~percent new exterior body parts and incorporates new powertrain options;~~
- 30 ~~\_\_\_\_\_ (10) "Notice of intent", a form developed by the department, completed~~  
31 ~~by the qualified manufacturing company or qualified supplier and submitted to~~  
32 ~~the department which states the qualified manufacturing company's or qualified~~  
33 ~~supplier's intent to create new jobs or retain current jobs and make additional~~  
34 ~~capital investment, as applicable, and request benefits under this section. The~~  
35 ~~notice of intent shall specify the minimum number of such new or retained jobs~~  
36 ~~and the minimum amount of such capital investment;~~
- 37 ~~\_\_\_\_\_ (11) "Qualified manufacturing company", a business with a NAICS code~~  
38 ~~of 33611 that:~~
- 39 ~~\_\_\_\_\_ (a) Manufactures goods at a facility in Missouri;~~
- 40 ~~\_\_\_\_\_ (b) In the case of the manufacture of a new product, commits to make a~~  
41 ~~capital investment of at least seventy-five thousand dollars per retained job within~~  
42 ~~no more than two years of the date the qualified manufacturing company begins~~  
43 ~~to retain withholding tax under this section, or in the case of the modification or~~  
44 ~~expansion of the manufacture of an existing product, commits to make a capital~~  
45 ~~investment of at least fifty thousand dollars per retained job within no more than~~  
46 ~~two years of the date the qualified manufacturing company begins to retain~~  
47 ~~withholding tax under this section;~~
- 48 ~~\_\_\_\_\_ (c) Manufactures a new product or has commenced making capital~~  
49 ~~improvements to the facility necessary for the manufacturing of such new~~  
50 ~~product, or modifies or expands the manufacture of an existing product or has~~  
51 ~~commenced making capital improvements to the facility necessary for the~~  
52 ~~modification or expansion of the manufacture of such existing product; and~~

- 53 ~~\_\_\_\_\_ (d) Continues to meet the requirements of paragraphs (a) to (c) of this~~  
54 ~~subdivision for the withholding period;~~
- 55 ~~\_\_\_\_\_ (12) "Qualified supplier", a manufacturing company that:~~
- 56 ~~\_\_\_\_\_ (a) Attests to the department that it derives more than ten percent of the~~  
57 ~~total annual sales of the company from sales to a qualified manufacturing~~  
58 ~~company;~~
- 59 ~~\_\_\_\_\_ (b) Adds five or more new jobs;~~
- 60 ~~\_\_\_\_\_ (c) Has an average wage, as defined in section 135.950, for such new~~  
61 ~~jobs that are equal to or exceed the lower of the county average wage for~~  
62 ~~Missouri as determined by the department using NAICS industry classifications;~~  
63 ~~but not lower than sixty percent of the statewide average wage; and~~
- 64 ~~\_\_\_\_\_ (d) Provides health insurance for all full-time jobs and pays at least fifty~~  
65 ~~percent of the premiums of such insurance;~~
- 66 ~~\_\_\_\_\_ (13) "Retained job", the number of full-time jobs of persons employed~~  
67 ~~by the qualified manufacturing company located at the facility that existed as of~~  
68 ~~the last working day of the month immediately preceding the month in which~~  
69 ~~notice of intent is submitted;~~
- 70 ~~\_\_\_\_\_ (14) "Statewide average wage", an amount equal to the quotient of the~~  
71 ~~sum of the total gross wages paid for the corresponding four calendar quarters~~  
72 ~~divided by the average annual employment for such four calendar quarters, which~~  
73 ~~shall be computed using the Quarterly Census of Employment and Wages Data~~  
74 ~~for All Private Ownership Businesses in Missouri, as published by the Bureau of~~  
75 ~~Labor Statistics of the United States Department of Labor;~~
- 76 ~~\_\_\_\_\_ (15) "Withholding period", the seven- or ten-year period in which a~~  
77 ~~qualified manufacturing company may receive benefits under this section;~~
- 78 ~~\_\_\_\_\_ (16) "Withholding tax", the same meaning as such term is defined in~~  
79 ~~section 620.1878.~~
- 80 ~~\_\_\_\_\_ 3. The department shall respond within thirty days to a qualified~~  
81 ~~manufacturing company or a qualified supplier who provides a notice of intent~~  
82 ~~with either an approval or a rejection of the notice of intent. Failure to respond~~  
83 ~~on behalf of the department shall result in the notice of intent being deemed an~~  
84 ~~approval for the purposes of this section.~~
- 85 ~~\_\_\_\_\_ 4. A qualified manufacturing company that manufactures a new product~~  
86 ~~may, upon the department's approval of a notice of intent and the execution of an~~  
87 ~~agreement that meets the requirements of subsection 9 of this section, but no~~  
88 ~~earlier than January 1, 2012, retain one hundred percent of the withholding tax~~  
89 ~~from full-time jobs at the facility for a period of ten years. A qualified~~  
90 ~~manufacturing company that modifies or expands the manufacture of an existing~~  
91 ~~product may, upon the department's approval of a notice of intent and the~~  
92 ~~execution of an agreement that meets the requirements of subsection 9 of this~~  
93 ~~section, but no earlier than January 1, 2012, retain fifty percent of the withholding~~  
94 ~~tax from full-time jobs at the facility for a period of seven years. Except as~~  
95 ~~otherwise allowed under subsection 7 of this section, the commencement of the~~

96 ~~withholding period may be delayed by no more than twenty-four months after~~  
97 ~~execution of the agreement at the option of the qualified manufacturing company.~~  
98 ~~Such qualified manufacturing company shall be eligible for participation in the~~  
99 ~~Missouri quality jobs program in sections 620.1875 to 620.1890 for any new jobs~~  
100 ~~for which it does not retain withholding tax under this section, provided all~~  
101 ~~qualifications for such program are met.~~

102 ~~5. A qualified supplier may, upon approval of a notice of intent by the~~  
103 ~~department, retain all withholding tax from new jobs for a period of three years~~  
104 ~~from the date of approval of the notice of intent or for a period of five years if the~~  
105 ~~supplier pays wages for the new jobs equal to or greater than one hundred twenty~~  
106 ~~percent of county average wage. Notwithstanding any other provision of law to~~  
107 ~~the contrary, a qualified supplier that is awarded benefits under this section shall~~  
108 ~~not receive any tax credit or exemption or be entitled to retain withholding under~~  
109 ~~sections 100.700 to 100.850, sections 135.100 to 135.150, sections 135.200 to~~  
110 ~~135.286, section 135.535, sections 135.900 to 135.906, sections 135.950 to~~  
111 ~~135.970, or section 620.1881 for the same jobs.~~

112 ~~6. Notwithstanding any other provision of law to the contrary, the~~  
113 ~~maximum amount of withholding tax that may be retained by any one qualified~~  
114 ~~manufacturing company under this section shall not exceed ten million dollars~~  
115 ~~per calendar year. The aggregate amount of withholding tax that may be retained~~  
116 ~~by all qualified manufacturing companies under this section shall not exceed~~  
117 ~~fifteen million dollars per calendar year.~~

118 ~~7. Notwithstanding any other provision of law to the contrary, any~~  
119 ~~qualified manufacturing company that is awarded benefits under this section shall~~  
120 ~~not simultaneously receive tax credits or exemptions under sections 100.700 to~~  
121 ~~100.850, sections 135.100 to 135.150, sections 135.200 to 135.286, section~~  
122 ~~135.535, or sections 135.900 to 135.906 for the jobs created or retained or capital~~  
123 ~~improvement which qualified for benefits under this section. The benefits~~  
124 ~~available to the qualified manufacturing company under any other state programs~~  
125 ~~for which the qualified manufacturing company is eligible and which utilize~~  
126 ~~withholding tax from the jobs at the facility shall first be credited to the other~~  
127 ~~state program before the applicable withholding period for benefits provided~~  
128 ~~under this section shall begin. These other state programs include, but are not~~  
129 ~~limited to, the Missouri works jobs training program under sections 620.800 to~~  
130 ~~620.809, the real property tax increment allocation redevelopment act under~~  
131 ~~sections 99.800 to 99.865, or the Missouri downtown and rural economic~~  
132 ~~stimulus act under sections 99.915 to 99.980. If any qualified manufacturing~~  
133 ~~company also participates in the Missouri works jobs training program in sections~~  
134 ~~620.800 to 620.809, such qualified manufacturing company shall not retain any~~  
135 ~~withholding tax that has already been allocated for use in the new jobs training~~  
136 ~~program. Any qualified manufacturing company or qualified supplier that is~~  
137 ~~awarded benefits under this program and knowingly hires individuals who are not~~  
138 ~~allowed to work legally in the United States shall immediately forfeit such~~

139 ~~benefits and shall repay the state an amount equal to any withholding taxes~~  
140 ~~already retained. Subsection 5 of section 285.530 shall not apply to qualified~~  
141 ~~manufacturing companies or qualified suppliers which are awarded benefits~~  
142 ~~under this program.~~

143 ~~8. The department may promulgate rules to implement the provisions of~~  
144 ~~this section. Any rule or portion of a rule, as that term is defined in section~~  
145 ~~536.010, that is created under the authority delegated in this section shall become~~  
146 ~~effective only if it complies with and is subject to all of the provisions of chapter~~  
147 ~~536 and, if applicable, section 536.028. This section and chapter 536 are~~  
148 ~~nonseverable and if any of the powers vested with the general assembly under~~  
149 ~~chapter 536 to review, to delay the effective date, or to disapprove and annul a~~  
150 ~~rule are subsequently held unconstitutional, then the grant of rulemaking~~  
151 ~~authority and any rule proposed or adopted after the effective date of this section~~  
152 ~~shall be invalid and void.~~

153 ~~9. Within six months of completion of a notice of intent required under~~  
154 ~~this section, the qualified manufacturing company shall enter into an agreement~~  
155 ~~with the department that memorializes the content of the notice of intent, the~~  
156 ~~requirements of this section, and the consequences for failing to meet such~~  
157 ~~requirements, which shall include the following:~~

158 ~~(1) If the amount of capital investment made by the qualified~~  
159 ~~manufacturing company is not made within the two-year period provided for such~~  
160 ~~investment, the qualified manufacturing company shall immediately cease~~  
161 ~~retaining any withholding tax with respect to jobs at the facility and it shall forfeit~~  
162 ~~all rights to retain withholding tax for the remainder of the withholding period.~~  
163 ~~In addition, the qualified manufacturing company shall repay any amounts of~~  
164 ~~withholding tax retained plus interest of five percent per annum. However, in the~~  
165 ~~event that such capital investment shortfall is due to economic conditions beyond~~  
166 ~~the control of the qualified manufacturing company, the director may, at the~~  
167 ~~qualified manufacturing company's request, suspend rather than terminate its~~  
168 ~~privilege to retain withholding tax under this section for up to three years. Any~~  
169 ~~such suspension shall extend the withholding period by the same amount of time.~~  
170 ~~No more than one such suspension shall be granted to a qualified manufacturing~~  
171 ~~company;~~

172 ~~(2) If the qualified manufacturing company discontinues the~~  
173 ~~manufacturing of the new product and does not replace it with a subsequent or~~  
174 ~~additional new product manufactured at the facility at any time during the~~  
175 ~~withholding period, the qualified manufacturing company shall immediately~~  
176 ~~cease retaining any withholding tax with respect to jobs at that facility and it shall~~  
177 ~~forfeit all rights to retain withholding tax for the remainder of the withholding~~  
178 ~~period.~~

179 ~~10. Prior to March first each year, the department shall provide a report~~  
180 ~~to the general assembly including the names of participating qualified~~  
181 ~~manufacturing companies or qualified suppliers, location of such companies or~~

182 ~~suppliers, the annual amount of benefits provided, the estimated net state fiscal~~  
 183 ~~impact including direct and indirect new state taxes derived, and the number of~~  
 184 ~~new jobs created or jobs retained.~~

185 ~~11. Under section 23.253 of the Missouri sunset act.~~

186 ~~(1) The provisions of the new program authorized under this section shall~~  
 187 ~~automatically sunset October 12, 2016, unless reauthorized by an act of the~~  
 188 ~~general assembly, and~~

189 ~~(2) If such program is reauthorized, the program authorized under this~~  
 190 ~~section shall automatically sunset twelve years after the effective date of the~~  
 191 ~~reauthorization of this section, and~~

192 ~~(3) This section shall terminate on September first of the calendar year~~  
 193 ~~immediately following the calendar year in which the program authorized under~~  
 194 ~~this section is sunset.]~~

195

196 EXPLANATION: This section sunset 10-12-2016. NOTE: A Sunset Review  
 197 Report on this section was voted on by the Joint Committee on Legislative  
 198 Research on 9-16-2015.

199

2 ~~[620.2100. 1. There is hereby established the "Ozark Exploration~~  
 3 ~~Bicentennial Commission".~~

4 ~~2. The commission shall consist of the following members:~~

5 ~~(1) Two representatives appointed by the speaker of the house of~~  
 6 ~~representatives;~~

7 ~~(2) Two senators appointed by the president pro tempore of the senate;~~

8 ~~(3) One faculty member of Missouri State University appointed by~~  
 9 ~~university leadership;~~

10 ~~(4) The director of the division of tourism or his or her designee;~~

11 ~~(5) Two members representing historical societies within the area of~~  
 12 ~~exploration, one appointed by the speaker of the house of representatives and one~~  
 13 ~~appointed by the president pro tempore of the senate;~~

14 ~~(6) Two members of the public appointed by the speaker of the house of~~  
 15 ~~representatives; and~~

16 ~~(7) Two members of the public appointed by the president pro tempore~~  
 17 ~~of the senate.~~

18 ~~3. Members of the commission shall be appointed by October 1, 2017.~~

19 ~~4. Members of the commission shall serve without compensation. The~~  
 20 ~~division of tourism shall provide administrative support for the commission.~~

21 ~~5. There is hereby established in the state treasury the "Ozark Exploration~~  
 22 ~~Bicentennial Fund" to be held separate and apart from all other public moneys~~  
 23 ~~and funds of the state. The fund may accept state and federal appropriations,~~  
 24 ~~grants, bequests, gifts, fees, and awards to be held for use by the Ozark~~  
 25 ~~exploration bicentennial commission. Notwithstanding the provisions of section~~  
 26 ~~33.080 to the contrary, moneys remaining in the fund at the end of any biennium~~

26 ~~shall not revert to general revenue. The state treasurer shall be custodian of the~~  
27 ~~fund. In accordance with sections 30.170 and 30.180, the state treasurer may~~  
28 ~~approve disbursements. The state treasurer shall invest moneys in the fund in the~~  
29 ~~same manner as other funds are invested. Any interest and moneys earned on~~  
30 ~~such investments shall be credited to the fund.~~

31 ~~6. The duties of the commission shall include, but not be limited to:~~

32 ~~(1) Organizing and coordinating efforts relating to the bicentennial~~  
33 ~~celebration of the exploration of the Ozarks in 1819; and~~

34 ~~(2) Promoting public awareness of the importance and cultural~~  
35 ~~significance of the exploration to Missouri history.~~

36 ~~7. The commission shall be dissolved and the provisions of this section~~  
37 ~~shall expire on June 30, 2019.]~~

38

39 EXPLANATION: This section expired 6-30-2019.

40

~~[633.420. 1. For the purposes of this section, the term "dyslexia" means~~  
2 ~~a disorder that is neurological in origin, characterized by difficulties with accurate~~  
3 ~~and fluent word recognition, and poor spelling and decoding abilities that~~  
4 ~~typically result from a deficit in the phonological component of language, often~~  
5 ~~unexpected in relation to other cognitive abilities and the provision of effective~~  
6 ~~classroom instruction, and of which secondary consequences may include~~  
7 ~~problems in reading comprehension and reduced reading experience that can~~  
8 ~~impede growth of vocabulary and background knowledge. Nothing in this~~  
9 ~~section shall prohibit a district from assessing students for dyslexia and offering~~  
10 ~~students specialized reading instruction if a determination is made that a student~~  
11 ~~suffers from dyslexia. Unless required by federal law, nothing in this definition~~  
12 ~~shall require a student with dyslexia to be automatically determined eligible as~~  
13 ~~a student with a disability. Nothing in this definition shall require a student with~~  
14 ~~dyslexia to obtain an individualized education program (IEP) unless the student~~  
15 ~~has otherwise met the federal conditions necessary.~~

16 ~~2. There is hereby created the "Legislative Task Force on Dyslexia". The~~  
17 ~~joint committee on education shall provide technical and administrative support~~  
18 ~~as required by the task force to fulfill its duties; any such support involving~~  
19 ~~monetary expenses shall first be approved by the chairman of the joint committee~~  
20 ~~on education. The task force shall meet at least quarterly and may hold meetings~~  
21 ~~by telephone or video conference. The task force shall advise and make~~  
22 ~~recommendations to the governor, joint committee on education, and relevant~~  
23 ~~state agencies regarding matters concerning individuals with dyslexia, including~~  
24 ~~education and other adult and adolescent services.~~

25 ~~3. The task force shall be comprised of twenty-one members consisting~~  
26 ~~of the following:~~

- 27 ~~————— (1) Two members of the senate appointed by the president pro tempore~~  
28 ~~of the senate, with one member appointed from the minority party and one~~  
29 ~~member appointed from the majority party;~~
- 30 ~~————— (2) Two members of the house of representatives appointed by the~~  
31 ~~speaker of the house of representatives, with one member appointed from the~~  
32 ~~minority party and one member appointed from the majority party;~~
- 33 ~~————— (3) The commissioner of education, or his or her designee;~~
- 34 ~~————— (4) One representative from an institution of higher education located in~~  
35 ~~this state with specialized expertise in dyslexia and reading instruction;~~
- 36 ~~————— (5) A representative from a state teachers association or the Missouri~~  
37 ~~National Education Association;~~
- 38 ~~————— (6) A representative from the International Dyslexia Association of~~  
39 ~~Missouri;~~
- 40 ~~————— (7) A representative from Decoding Dyslexia of Missouri;~~
- 41 ~~————— (8) A representative from the Missouri Association of Elementary School~~  
42 ~~Principals;~~
- 43 ~~————— (9) A representative from the Missouri Council of Administrators of~~  
44 ~~Special Education;~~
- 45 ~~————— (10) A professional licensed in the state of Missouri with experience~~  
46 ~~diagnosing dyslexia including, but not limited to, a licensed psychologist, school~~  
47 ~~psychologist, or neuropsychologist;~~
- 48 ~~————— (11) A speech-language pathologist with training and experience in early~~  
49 ~~literacy development and effective research-based intervention techniques for~~  
50 ~~dyslexia, including an Orton-Gillingham remediation program recommended by~~  
51 ~~the Missouri Speech-Language Hearing Association;~~
- 52 ~~————— (12) A certified academic language therapist recommended by the~~  
53 ~~Academic Language Therapy Association who is a resident of this state;~~
- 54 ~~————— (13) A representative from an independent private provider or nonprofit~~  
55 ~~organization serving individuals with dyslexia;~~
- 56 ~~————— (14) An assistive technology specialist with expertise in accessible print~~  
57 ~~materials and assistive technology used by individuals with dyslexia~~  
58 ~~recommended by the Missouri assistive technology council;~~
- 59 ~~————— (15) One private citizen who has a child who has been diagnosed with~~  
60 ~~dyslexia;~~
- 61 ~~————— (16) One private citizen who has been diagnosed with dyslexia;~~
- 62 ~~————— (17) A representative of the Missouri State Council of the International~~  
63 ~~Reading Association;~~
- 64 ~~————— (18) A pediatrician with knowledge of dyslexia; and~~
- 65 ~~————— (19) A member of the Missouri School Boards' Association.~~
- 66 ~~————— 4. The members of the task force, other than the members from the~~  
67 ~~general assembly and ex officio members, shall be appointed by the president pro~~  
68 ~~tempore of the senate or the speaker of the house of representatives by September~~  
69 ~~1, 2016, by alternating appointments beginning with the president pro tempore~~

70 of the senate. A chairperson shall be selected by the members of the task force.  
71 Any vacancy on the task force shall be filled in the same manner as the original  
72 appointment. Members shall serve on the task force without compensation.

73 ~~5. The task force shall make recommendations for a statewide system for~~  
74 ~~identification, intervention, and delivery of supports for students with dyslexia,~~  
75 ~~including the development of resource materials and professional development~~  
76 ~~activities. These recommendations shall be included in a report to the governor~~  
77 ~~and joint committee on education and shall include findings and proposed~~  
78 ~~legislation and shall be made available no longer than twelve months from the~~  
79 ~~task force's first meeting.~~

80 ~~6. The recommendations and resource materials developed by the task~~  
81 ~~force shall:~~

82 ~~(1) Identify valid and reliable screening and evaluation assessments and~~  
83 ~~protocols that can be used and the appropriate personnel to administer such~~  
84 ~~assessments in order to identify children with dyslexia or the characteristics of~~  
85 ~~dyslexia as part of an ongoing reading progress monitoring system, multitiered~~  
86 ~~system of supports, and special education eligibility determinations in schools;~~

87 ~~(2) Recommend an evidence-based reading instruction, with~~  
88 ~~consideration of the National Reading Panel Report and Orton-Gillingham~~  
89 ~~methodology principles for use in all Missouri schools, and intervention system,~~  
90 ~~including a list of effective dyslexia intervention programs, to address dyslexia~~  
91 ~~or characteristics of dyslexia for use by schools in multitiered systems of support~~  
92 ~~and for services as appropriate for special education eligible students;~~

93 ~~(3) Develop and implement preservice and in-service professional~~  
94 ~~development activities to address dyslexia identification and intervention,~~  
95 ~~including utilization of accessible print materials and assistive technology, within~~  
96 ~~degree programs such as education, reading, special education, speech-language~~  
97 ~~pathology, and psychology;~~

98 ~~(4) Review teacher certification and professional development~~  
99 ~~requirements as they relate to the needs of students with dyslexia;~~

100 ~~(5) Examine the barriers to accurate information on the prevalence of~~  
101 ~~students with dyslexia across the state and recommend a process for accurate~~  
102 ~~reporting of demographic data; and~~

103 ~~(6) Study and evaluate current practices for diagnosing, treating, and~~  
104 ~~educating children in this state and examine how current laws and regulations~~  
105 ~~affect students with dyslexia in order to present recommendations to the governor~~  
106 ~~and the joint committee on education.~~

107 ~~7. The task force shall hire or contract for hire specialist services to~~  
108 ~~support the work of the task force as necessary with appropriations made by the~~  
109 ~~general assembly to the joint committee on education for that purpose or from~~  
110 ~~other available funding.~~

111 ~~8. The task force authorized under this section shall expire on August 31,~~  
112 ~~2018, unless reauthorized by an act of the general assembly.]~~



113 EXPLANATION: This section expired 8-31-2018.

114

~~[640.030. The department of natural resources and the department of conservation shall develop an interagency plan and execute an interagency agreement regarding the application and use of any portion of funds authorized for the respective departments by provisions of the Constitution, taking into consideration the purposes for which the voters approved the funds and the extent to which expenditures under the provisions of sections 252.300 to 252.333, or sections 620.552 to 620.574, accomplish such purposes. Such interagency agreements shall not be subject to legislative review or oversight and are not rules within the meaning of any law providing for review by the general assembly or any committee thereof.]~~

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EXPLANATION: This section expired 12-31-1992 (1990 H.B. 1653, Section A).

~~[660.512. No rule or portion of a rule promulgated under the authority of chapter 210 shall become effective unless it has been promulgated pursuant to the provisions of section 536.024.]~~

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EXPLANATION: Sections 660.500 to 660.513 were repealed in 1995. There is sufficient rulemaking authority in Chapter 210, making this section unnecessary.

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