

SECOND REGULAR SESSION

SENATE BILL NO. 935

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CASKEY

Read 1st time January 31, 2000, and 1,000 copies ordered printed.

3796S.011

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 191, RSMo, by adding thereto three new sections relating to loans for assistive technology.

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

Section A. Chapter 191, RSMo, is amended by adding thereto three new sections, to be known as sections 191.862, 191.865 and 191.868, to read as follows:

191.862. 1. The Missouri assistive technology council, established in section 191.850, shall establish an assistive technology loan program. The loan program shall be funded from the assistive technology loan revolving fund established pursuant to section 191.865. The fund shall receive any appropriation and grant moneys received pursuant to subsection 2 of this section to provide loans for the purchase of assistive technology devices and services, as defined in section 191.850.

2. The loan program shall provide loans for the first fiscal year following appropriation. Any matching grant moneys received by the state pursuant to the Title III of the federal Assistive Technology Act of 1998, or through any other applicable sources shall be used to fund the loan program. The state treasurer shall provide the assistive technology council with information on the amount of moneys in the assistive technology loan revolving fund at the beginning of each fiscal year. The council shall quarterly expend such moneys in four equal shares to ensure that the loan program will provide loans throughout the entire fiscal year. Any repayments or interest earned during a fiscal year shall not be used for loans in the current fiscal year, but shall be carried over for use in the next fiscal year.

3. The interest rates for loans shall be lower than comparable commercial lending rates and shall be established by the council based on the borrower's ability to pay. Loans may be made with no interest. Loan repayment periods shall not exceed

ten years.

4. The council shall:

(1) Promulgate rules relating to borrower eligibility, interest rates, repayment terms and other matters necessary to implement the purpose of this section, including limits on the number and amounts of loans to assure the continued solvency of the fund; and

(2) File annual reports with the governor and general assembly which shall include an accounting of the loans and repayments to the fund during the preceding fiscal year.

5. The council may enter into contracts as necessary to carry out the purposes of this section, including but not limited to contracts with disability organizations and lending institutions.

6. By no later than January 1, 2001, the council shall submit a report to the general assembly regarding any rules proposed or promulgated for the implementation of this program.

7. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

191.865. 1. In order to allow Missourians with disabilities to take advantage of Title III of the federal Assistive Technology Act of 1998, there is hereby created in the state treasury the "Assistive Technology Loan Revolving Fund" which shall be administered by the Missouri assistive technology council and the state treasurer.

2. Moneys in the fund shall, upon appropriation, be used to establish and maintain the assistive technology loan program established in section 191.862.

3. The fund shall consist of any moneys appropriated to the fund, repayments of principal and interest by qualified borrowers, and interest earned on the moneys in the fund.

4. The fund may accept federal, state and other public funds, public or private grants, contributions and loans to the fund with the approval of the Missouri assistive technology council.

5. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund shall not revert to the general revenue fund at the end of the biennium.

191.868. 1. The Missouri assistive technology council shall establish a home access grant program to provide financial assistance to persons with disabilities. Eligible program expenditures shall include, but shall not be limited to:

(1) Structural access modifications, including labor and materials, to a home which will assist one or more persons with disabilities to readily access their home; and

(2) Assistive technology devices and services which will assist one or more persons with disabilities to live more independently in their home.

2. The council shall adopt rules concerning applicant eligibility, covered expenditures, financial guidelines and other matters necessary and proper to carry out the purpose of this section, including limits on the amounts of grants to assure equitable distribution of fund dollars.

3. There is hereby created in the state treasury the "Home Access Grant Fund" which shall be administered by the Missouri assistive technology council. Moneys in the fund shall, upon appropriation, be used to establish and maintain the home access grant program pursuant to subsection 1 of this section.

4. The provisions of section 33.080, RSMo, to the contrary notwithstanding, all moneys in the fund created in this section shall not be transferred and placed to the credit of the general revenue fund at the end of each biennium.

5. The council shall promulgate rules and regulations for the implementation of this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of chapter 536, RSMo.

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