

SECOND REGULAR SESSION

# SENATE BILL NO. 1033

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY SENATOR KENNEDY.

Read 1st time January 28, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

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### AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to public school beautification programs.

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.645, to read as follows:

**160.645. 1. Subject to appropriation, the department of elementary and secondary education shall create a "Public School Beautification Adoption Program" for the purpose of allowing any interested person, community group, corporation or other entity to develop and implement a plan to clean, beautify and otherwise assist in maintaining the exterior of a public school and such public school's grounds. The person, group or entity shall, in order to be approved as the program sponsor for a particular public school, apply to and obtain the approval of the school board of the district in which such public school is located. After school board approval, the approved sponsor shall forward the application to the department for review. Upon approval of the department, the person, group or entity may proceed with program implementation, and such person, group or entity shall be the public school beautification adoption program sponsor of such public school until such time as the group stops performing its duties pursuant to its plan or until such time as the school board revokes such group's sponsorship status.**

**2. There is hereby established in the state treasury the "Public School Beautification Adoption Program Fund", which shall consist of all moneys appropriated to such fund, all moneys required by law to be deposited in such fund,**

**and all donations, bequests or other gifts made to such fund. The fund shall be administered by the department. All interest and moneys earned on the fund shall be credited to the fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund at the end of the biennium shall not be transferred to the credit of general revenue. The department shall choose ten programs annually from among all of the public schools with approved programs pursuant to subsection 1 of this section, beginning with the 2002-2003 school year, to receive beautification grants from the fund, to be distributed equally to each grantee public school, subject to appropriation, of up to ten thousand dollars for each such school. The department shall give grants to those public schools where the programs have been the most effective over the course of the prior school year, as determined by criteria developed by the department for grant selection and application.**

**3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void.**

**Bill<sup>T</sup>**

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