

SECOND REGULAR SESSION

SENATE BILL NO. 914

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR JACOB.

Read 1st time January 10, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

3780S.021

AN ACT

To repeal sections 160.534, 173.250 and 313.820, RSMo, relating to gaming and the distribution of educational proceeds, and to enact in lieu thereof four new sections relating to the same subject, with an expiration date for a certain section.

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

Section A. Sections 160.534, 173.250 and 313.820, RSMo, are repealed and four new sections enacted in lieu thereof, to be known as sections 160.534, 173.250, 313.806 and 313.820, to read as follows:

160.534. For fiscal year 1996 and each subsequent fiscal year, any amount of the excursion gambling boat proceeds deposited in the gaming proceeds for education fund in excess of the amount transferred to the school district bond fund as provided in section 164.303, RSMo, shall be transferred to the state school moneys fund; **provided that for fiscal year 2003 and each fiscal year thereafter all funds transferred from the gaming proceeds for education fund in excess of the sum of the amount transferred to the school district bond fund for fiscal year 2002 plus the amount transferred to the state school moneys fund for fiscal year 2002, shall be transferred in a manner pursuant to subsection 1 of section 313.806, RSMo.** Such moneys shall be transferred on a monthly basis and shall be distributed in the manner provided in section 163.031, RSMo.

173.250. 1. There is hereby established a "Higher Education Academic Scholarship Program" and any moneys appropriated by the general assembly for this program shall be used to provide scholarships for Missouri citizens to attend a Missouri college or university of their choice pursuant to the provisions of this section.

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

2. The definitions of terms set forth in section 173.205 shall be applicable to such terms as used in this section. The term "academic scholarship" means an amount of money paid by the state of Missouri to a qualified college or university student who has demonstrated superior academic achievement pursuant to the provisions of this section.

3. The coordinating board for higher education shall be the administrative agency for the implementation of the program established by this section, and shall:

(1) Promulgate reasonable rules and regulations for the exercise of its functions and the effectuation of the purposes of this section, including regulations for granting scholarship deferments;

(2) Prescribe the form and the time and method of awarding academic scholarships, and shall supervise the processing thereof; and

(3) Select qualified recipients to receive academic scholarships, make such awards of academic scholarships to qualified recipients and determine the manner and method of payment to the recipient.

4. A student shall be eligible for initial or renewed academic scholarship if he or she is in compliance with the eligibility requirements set forth in section 173.215 excluding the requirement of financial need and undergraduate status, and in addition meets the following requirements:

(1) Initial academic scholarships shall be offered in the academic year immediately following graduation from high school to Missouri high school seniors whose composite scores on the American College Testing Program (ACT) or the Scholastic Aptitude Test (SAT) of the College Board are in the top three percent of all Missouri students taking those tests during the school year in which the scholarship recipients graduate from high school. In the freshman year of college, scholarship recipients are required to maintain status as a full-time student;

(2) Academic scholarships are renewable if the recipient remains in compliance with the applicable provisions of section 173.215 and the recipient makes satisfactory academic degree progress as a full-time student.

5. A student who is enrolled or has been accepted for enrollment as a postsecondary student at an approved private or public institution beginning with the fall, 1987, term and who meets the other eligibility requirements for an academic scholarship shall, within the limits of the funds appropriated and made available, be offered an academic scholarship in the amount of **[two] three** thousand dollars for the first academic year of study, which scholarship shall be renewable in the amount of two thousand dollars annually for the second, third and fourth academic years or as long as the recipient is in compliance with the applicable eligibility requirements set forth in section 173.215, provided those years of study are continuous and the student continues to meet eligibility requirements for the scholarship; provided, however, if a recipient ceases all attendance at an approved public or private institution for the purpose of

providing service to a nonprofit organization, a state or federal government agency or any branch of the armed forces of the United States, the recipient shall be eligible for a renewal scholarship upon return to any approved public or private institution, provided the recipient:

(1) Returns to full-time status within twenty-seven months;

(2) Provides verification in compliance with coordinating board for higher education rules that the service to the nonprofit organization was satisfactorily completed and was not compensated other than for expenses or that the service to the state or federal governmental agency or branch of the armed forces of the United States was satisfactorily completed; and

(3) Meets all other requirements established for eligibility to receive a renewal scholarship.

6. A recipient of academic scholarship awarded under this section may transfer from one approved Missouri public or private institution to another without losing eligibility for the scholarship. If a recipient of the scholarship at any time withdraws from an approved private or public institution so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees or other charges, the institution shall pay the portion of the refund attributable to the scholarship for that term to the coordinating board for higher education.

7. Other provisions of this section to the contrary notwithstanding, if a recipient has been awarded an initial academic scholarship pursuant to the provisions of this section but is unable to use the scholarship during the first academic year because of illness, disability, pregnancy or other medical need or if a recipient ceases all attendance at an approved public or private institution because of illness, disability, pregnancy or other medical need, the recipient shall be eligible for an initial or renewal scholarship upon enrollment in or return to any approved public or private institution, provided the recipient:

(1) Enrolls in or returns to full-time status within twenty-seven months;

(2) Provides verification in compliance with coordinating board for higher education rules of sufficient medical evidence documenting an illness, disability, pregnancy or other medical need of such person to require that that person will not be able to use the initial or renewal scholarship during the time period for which it was originally offered; and

(3) Meets all other requirements established for eligibility to receive an initial or a renewal scholarship.

313.806. 1. Beginning January 1, 2003, the five hundred dollar loss limit described in subdivision (3) of section 313.805 shall be repealed for three years. Any increased state excursion gambling boat proceeds deposited in the gaming proceeds for education fund derived from the repeal of such loss limit shall be transferred to, in an amount to be determined by the general assembly, or to be used for:

(1) The Missouri college guarantee fund established pursuant to section

173.830, RSMo;

(2) The higher education academic scholarship program established pursuant to section 173.250, RSMo; or

(3) Providing state aid to school districts pursuant to the foundation formula established by section 163.031, RSMo.

2. One year following the repeal of the loss limit described in subsection 1 of this section, and the subsequent year, the gaming commission shall deliver a report, no later than January 15 of such year to the general assembly describing the impact of repealing the gaming loss limit. The report shall include, but not be limited to, the following:

(1) The impact on state revenue;

(2) The impact on compulsive gamblers;

(3) The impact on state tourism; and

(4) Any other information the gaming commission deems relevant.

3. The repeal of the loss limit described in subdivision (3) of section 313.805 shall expire December 31, 2005.

313.820. 1. An excursion boat licensee shall pay to the commission an admission fee of two dollars for each person embarking on an excursion gambling boat with a ticket of admission. **Beginning January 1, 2003, the admission fee shall be three dollars for each person embarking on an excursion gambling boat with a ticket of admission.** One dollar of such fee shall be deposited to the credit of the gaming commission fund as authorized pursuant to section 313.835, and one dollar of such fee shall not be considered state funds and shall be paid to the home dock city or county. **Beginning January 1, 2003, one dollar of such admission fee shall be transferred pursuant to subsection 1 of section 313.806.** Subject to appropriation, one cent of such fee deposited to the credit of the gaming commission fund may be deposited to the credit of the compulsive gamblers fund created pursuant to the provisions of section 313.842. Nothing in this section shall preclude any licensee from charging any amount deemed necessary for a ticket of admission to any person embarking on an excursion gambling boat. If tickets are issued which are good for more than one excursion, the admission fee shall be paid to the commission for each person using the ticket on each excursion that the ticket is used. If free passes or complimentary admission tickets are issued, the excursion boat licensee shall pay to the commission the same fee upon these passes or complimentary tickets as if they were sold at the regular and usual admission rate; however, the excursion boat licensee may issue fee-free passes to actual and necessary officials and employees of the licensee or other persons actually working on the excursion gambling boat. The issuance of fee-free passes is subject to the rules of the commission, and a list of all persons to whom the fee-free passes are issued shall be filed with the commission.

2. All licensees are subject to all income taxes, sales taxes, earnings taxes, use taxes, property taxes or any other tax or fee now or hereafter lawfully levied by any political subdivision; however, no other license tax, permit tax, occupation tax, excursion fee, or taxes or fees shall be imposed, levied or assessed exclusively upon licensees by a political subdivision. All state taxes not connected directly to gambling games shall be collected by the department of revenue. Notwithstanding the provisions of section 32.057, RSMo, to the contrary, the department of revenue may furnish and the commission may receive tax information to determine if applicants or licensees are complying with the tax laws of this state; however, any tax information acquired by the commission shall not become public record and shall be used exclusively for commission business.

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