

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 873

98TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR PEARCE.

Read 1st time January 11, 2016, and ordered printed.

Read 2nd time January 20, 2016, and referred to the Committee on Education.

Reported from the Committee March 31, 2016, with recommendation that the bill do pass.

Taken up for Perfection April 12, 2016. Bill declared Perfected and Ordered Printed.

ADRIANE D. CROUSE, Secretary.

4373S.02P

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## AN ACT

To repeal section 173.670, RSMo, and to enact in lieu thereof three new sections relating to the science, technology, engineering and mathematics fund.

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

Section A. Section 173.670, RSMo, is repealed and three new sections  
2 enacted in lieu thereof, to be known as sections 173.670, 620.2605, and 620.3030,  
3 to read as follows:

173.670. 1. There is hereby established within the department of higher  
2 education the "Missouri Science, Technology, Engineering and Mathematics  
3 Initiative". The department of higher education may award matching funds  
4 through this initiative to public institutions of higher education as part of the  
5 annual appropriations process.

6 2. The purpose of the initiative shall be to provide support to increase  
7 interest among elementary, secondary, and university students in fields of study  
8 related to science, technology, engineering, and mathematics and to increase the  
9 number of Missouri graduates in these fields at Missouri's public two- and  
10 four-year institutions of higher education.

11 3. There is hereby created a "Science, Technology, Engineering and  
12 Mathematics Fund", which shall consist of money collected under this  
13 section. The state treasurer shall be custodian of the fund and may approve  
14 disbursements from the fund in accordance with sections 30.170 and  
15 30.180. Upon appropriation, money in the fund shall be used solely for the

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

16 administration of this section. Any moneys remaining in the fund at the end of  
17 the biennium shall not revert to the credit of the general revenue fund. The state  
18 treasurer shall invest moneys in the fund in the same manner as other funds are  
19 invested. Any interest and moneys earned on such investments shall be credited  
20 to the fund.

21 4. As part of the initiative, the department of higher education shall  
22 develop a process to award grants to Missouri public two- and four-year  
23 institutions of higher education and school districts that have entered into  
24 articulation agreements to offer information technology certification through  
25 technical course work leading to postsecondary academic credit through the  
26 program established in section 173.675.

27 5. The general assembly may appropriate funds to the science, technology,  
28 engineering[,] and mathematics fund to match institution funds to support the  
29 following programs:

30 (1) Endowed teaching professor programs, which provide funds to support  
31 faculty who teach undergraduate courses in science, technology, engineering, or  
32 mathematics fields at public institutions of higher education;

33 (2) Scholarship programs, which provide financial aid or loan forgiveness  
34 awards to Missouri students who study in the science, technology, engineering,  
35 or mathematics fields or who plan to enter the teaching field in Missouri with an  
36 emphasis on science, technology, engineering, and mathematics areas;

37 (3) Experiential youth programs at public colleges or universities,  
38 designed to provide Missouri middle school, junior high, and high school students  
39 with the opportunity to experience science, technology, engineering, and  
40 mathematics fields through camps or other educational offerings;

41 (4) Career enhancement programs for current elementary and secondary  
42 teachers and professors at Missouri public and private colleges and universities  
43 in the science, technology, engineering, or mathematics fields to improve the  
44 quality of teaching.

45 **6. Any taxpayer hiring a person who is currently enrolled as a**  
46 **student majoring in a field of study related to science, technology,**  
47 **engineering, or mathematics, at any two-year or four-year public or**  
48 **private Missouri college or university, to fill an internship position in**  
49 **the fields of science, technology, engineering, or mathematics may**  
50 **apply to have up to five thousand dollars of the taxpayer's state tax**  
51 **liability transferred from the general revenue fund and placed in the**

52 science, technology, engineering and mathematics fund established in  
53 subsection 3 of this section, upon appropriation. For purposes of this  
54 subsection, "state tax liability" means any liability incurred by a  
55 taxpayer under the provisions of chapter 143, excluding withholding  
56 tax imposed by sections 143.191 to 143.265, or the tax imposed in  
57 chapter 147, 148, or 153. The department of higher education shall  
58 establish a procedure for approving applications under this  
59 section. For purposes of this subsection, the taxpayer's state tax  
60 liability shall be paid before a transfer under this subsection  
61 occurs. The cumulative amount of taxes transferred to the science,  
62 technology, engineering and mathematics fund under this subsection  
63 and section 620.3030 shall not exceed an annual total of fifty thousand  
64 dollars from all participating taxpayers. In the event a donation is  
65 made to the fund from a third party, that donation shall not count  
66 towards the fifty thousand dollar annual limit. In order to qualify for  
67 purposes of this subsection, the internship shall be:

- 68 (1) Located within the state of Missouri; and
- 69 (2) For a duration of at least twelve weeks and consist of at least  
70 fifteen hours of work per week.

71 7. The department of higher education may promulgate rules and  
72 regulations for the administration of this section. Any rule or portion  
73 of a rule, as that term is defined in section 536.010, that is created  
74 under the authority delegated in this section shall become effective  
75 only if it complies with and is subject to all of the provisions of chapter  
76 536 and, if applicable, section 536.028. This section and chapter 536 are  
77 nonseverable and if any of the powers vested with the general assembly  
78 under chapter 536 to review, to delay the effective date, or to  
79 disapprove and annul a rule are subsequently held unconstitutional,  
80 then the grant of rulemaking authority and any rule proposed or  
81 adopted after August 28, 2016, shall be invalid and void.

620.2605. 1. As used in this section, the following terms shall  
2 mean:

- 3 (1) "Employer", any individual, partnership, or corporation as  
4 described in section 143.441 or 143.471 that is subject to the tax  
5 imposed in chapter 143 that is partnered with an innovation campus;
- 6 (2) "Innovation campus", the same meaning as used in section  
7 178.1100;

8           **(3) "Qualified individual", an individual who has graduated from**  
9 **an innovation campus with a bachelor's degree in the field of science,**  
10 **engineering, technology, or mathematics after April 30, 2017;**

11           **(4) "Withholding tax", the state tax imposed by sections 143.191**  
12 **to 143.265.**

13           **2. An employer that hires a qualified individual may retain up**  
14 **to one hundred percent of the qualified individual's withholding tax for**  
15 **up to five years.**

16           **3. A qualified individual shall receive full credit for the amount**  
17 **of tax withheld as provided in section 143.211.**

18           **4. The department of higher education and the department of**  
19 **revenue may jointly promulgate rules and regulations for the**  
20 **administration of this section. Any rule or portion of a rule, as that**  
21 **term is defined in section 536.010 that is created under the authority**  
22 **delegated in this section shall become effective only if it complies with**  
23 **and is subject to all of the provisions of chapter 536, and, if applicable,**  
24 **section 536.028. This section and chapter 536 are nonseverable, and if**  
25 **any of the powers vested with the general assembly pursuant to chapter**  
26 **536 to review, to delay the effective date, or to disapprove and annul a**  
27 **rule are subsequently held unconstitutional, then the grant of**  
28 **rulemaking authority and any rule proposed or adopted after August**  
29 **28, 2016, shall be invalid and void.**

**620.3030. 1. This section shall be known and may be cited as the**  
2 **"Economic-Education Partnership Act".**

3           **2. As used in this section, the following terms mean:**

4           **(1) "Educational benefits", the funds provided by an employer to**  
5 **a qualified individual or to an accredited educational institution for a**  
6 **period of up to five years to pay any portion of the tuition or fees for**  
7 **a qualified individual pursuing an advanced certificate, associates**  
8 **degree, bachelors degree, masters degree, or doctorate degree in a field**  
9 **of study related to health care, engineering, or information technology**  
10 **related programs;**

11           **(2) "Employer", a business with facilities in Missouri that employs**  
12 **a qualified individual upon the completion of the individual's degree**  
13 **or training for at least the same length of time as the employer**  
14 **provided educational benefits or training to the qualified individual;**

15           **(3) "Fund", the science, technology, engineering and mathematics**

16 fund established in section 173.670;

17 (4) "Qualified individual", an individual:

18 (a) Who is a resident of this state;

19 (b) Who is employed by an employer in Missouri;

20 (c) Who has an annual individual gross income of two hundred  
21 thousand dollars or less; and

22 (d) Who pursues an advanced certificate, associates degree,  
23 bachelors degree, masters degree, or doctorate degree in a field of  
24 study related to health care, engineering, or information technology  
25 related programs;

26 (5) "State tax liability", any liability incurred by a taxpayer  
27 under the provisions of chapter 143, excluding withholding tax imposed  
28 by sections 143.191 to 143.265, or the tax imposed in chapter 147, 148,  
29 or 153.

30 3. An employer that provides educational benefits to a qualified  
31 individual, or trains a qualified individual for an employment position  
32 in the health care, engineering, or information technology fields for no  
33 more than one year, may apply to have up to five thousand dollars of  
34 the taxpayer's state tax liability transferred from the general revenue  
35 fund and placed in the fund, upon appropriation. The department of  
36 higher education shall establish a procedure for approving applications  
37 under this section. For purposes of this section, the taxpayer's state  
38 tax liability shall be paid before a transfer under this section  
39 occurs. The cumulative amount of taxes transferred to the fund under  
40 this section and subsection 5 of section 173.670 shall not exceed an  
41 annual total of fifty thousand dollars from all participating taxpayers.  
42 In the event a donation is made to the fund from a third party, that  
43 donation shall not count towards the fifty thousand dollar annual limit.

44 4. The department of economic development may audit  
45 employers to ensure compliance with the provisions of this section.

46 5. An employer that has provided educational benefits prior to  
47 the effective date of this section shall only apply to have up to five  
48 thousand dollars of the taxpayer's state tax liability removed from the  
49 general revenue fund and placed in the fund under this section for  
50 providing additional educational benefits.

51 6. The department of economic development and the department  
52 of higher education may promulgate rules to implement the provisions

53 of this section. Any rule or portion of a rule, as that term is defined in  
54 section 536.010, that is created under the authority delegated in this  
55 section shall become effective only if it complies with and is subject to  
56 all of the provisions of chapter 536 and, if applicable, section  
57 536.028. This section and chapter 536 are nonseverable and if any of  
58 the powers vested with the general assembly under chapter 536 to  
59 review, to delay the effective date, or to disapprove and annul a rule  
60 are subsequently held unconstitutional, then the grant of rulemaking  
61 authority, and any rule proposed or adopted after August 28, 2016, shall  
62 be invalid and void.

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