

FIRST REGULAR SESSION

# SENATE BILL NO. 192

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WALLINGFORD.

Pre-filed December 7, 2016, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0791S.01I

## AN ACT

To amend chapter 192, RSMo, by adding thereto one new section relating to the senior services growth and development program.

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

Section A. Chapter 192, RSMo, is amended by adding thereto one new  
2 section, to be known as section 192.385, to read as follows:

**192.385. 1. There is hereby established in the department of  
2 health and senior services the "Senior Services Growth and  
3 Development Program" to provide additional funding for senior  
4 services provided through the area agencies on aging in this state.**

**5 2. Beginning January 1, 2018, and each year thereafter, ten  
6 percent of the premium tax collected under sections 148.320 and  
7 148.370, excluding any moneys to be transferred to the state school  
8 moneys fund as described in section 148.360, shall be deposited in the  
9 fund created in subsection 3 of this section.**

**10 3. (1) There is hereby created in the state treasury the "Senior  
11 Services Growth and Development Program Fund", which shall consist  
12 of moneys collected under this section. The director of the department  
13 of revenue shall collect the moneys described in subsection 2 of this  
14 section and shall remit such moneys to the state treasurer for deposit  
15 in the fund, less one percent for the cost of collection. In accordance  
16 with sections 30.170 and 30.180, the state treasurer may approve  
17 disbursements. The fund shall be a dedicated fund and moneys in the  
18 fund shall be used solely by the department of health and senior  
19 services for enhancing senior services provided by area agencies on  
20 aging in this state.**

**21 (2) Notwithstanding the provisions of section 33.080 to the**

22 contrary, any moneys remaining in the fund at the end of the biennium  
23 shall not revert to the credit of the general revenue fund. This fund is  
24 not intended to supplant general revenue provided for senior services.

25 (3) The state treasurer shall invest moneys in the fund in the  
26 same manner as other funds are invested. Any interest and moneys  
27 earned on such investments shall be credited to the fund.

28 4. The department of health and senior services shall disburse  
29 the moneys from the fund to the area agencies on aging in accordance  
30 with the funding formula used by the department to disburse other  
31 federal and state moneys to the area agencies on aging.

32 5. At least fifty percent of all moneys distributed under this  
33 section shall be applied by area agencies on aging to the development  
34 and expansion of senior center programs, facilities, and services.

35 6. All area agencies on aging shall report, either individually or  
36 as an association, annually to the department of health and senior  
37 services, the department of insurance, financial institutions, and  
38 professional registration, and the general assembly on the distribution  
39 and use of moneys under this section. The board of directors and the  
40 advisory board of each area agency on aging shall be responsible for  
41 ensuring the proper use and distribution of such moneys.

42 7. The department of health and senior services may promulgate  
43 rules to implement the provisions of this section. Any rule or portion  
44 of a rule, as that term is defined in section 536.010 that is created under  
45 the authority delegated in this section shall become effective only if it  
46 complies with and is subject to all of the provisions of chapter 536, and,  
47 if applicable, section 536.028. This section and chapter 536 are  
48 nonseverable and if any of the powers vested with the general assembly  
49 pursuant to chapter 536, to review, to delay the effective date, or to  
50 disapprove and annul a rule are subsequently held unconstitutional,  
51 then the grant of rulemaking authority and any rule proposed or  
52 adopted after August 28, 2017, shall be invalid and void.

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