

SECOND REGULAR SESSION

# SENATE BILL NO. 789

99TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR NASHEED.

Pre-filed December 7, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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## AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to the Missouri care counts program.

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

Section A. Chapter 167, RSMo, is amended by adding thereto one new  
2 section, to be known as section 167.990, to read as follows:

**167.990. 1. This section shall be known as the "Missouri Care  
2 Counts Program". The Missouri care counts program is hereby  
3 established for the purpose of providing funding to public schools,  
4 including public charter schools, located in a metropolitan school  
5 district to purchase washing machines and dryers. Subject to  
6 appropriations, the Missouri care counts program shall be funded by  
7 the Missouri care counts fund created under this section.**

**8 2. To be considered for the Missouri care counts program, a  
9 school shall submit an application to the department of elementary and  
10 secondary education with the following information:**

**11 (1) Proof of how the school will fund and provide regular and  
12 continuous maintenance of the washing machine and dryer;**

**13 (2) Details of how the school will facilitate washing the clothes  
14 of students;**

**15 (3) Proof of how the school will fund the purchase of laundry  
16 bags and laundry detergent; and**

**17 (4) Any other information the department of elementary and  
18 secondary education requires.**

**19 3. Priority for distribution of moneys under the program  
20 established under this section shall be given to schools with the highest  
21 percentage of enrolled students participating in the free and reduced**

22 price lunch program.

23 4. (1) There is hereby created in the state treasury the "Missouri  
24 Care Counts Fund", which shall consist of money appropriated for the  
25 program established under this section. The state treasurer shall be  
26 custodian of the fund. In accordance with sections 30.170 and 30.180,  
27 the state treasurer may approve disbursements. The fund shall be a  
28 dedicated fund and, upon appropriation, money in the fund shall be  
29 used solely by the department of elementary and secondary education  
30 for the administration of this section.

31 (2) Notwithstanding the provisions of section 33.080 to the  
32 contrary, any moneys remaining in the fund at the end of the biennium  
33 shall not revert to the credit of the general revenue fund.

34 (3) The state treasurer shall invest moneys in the fund in the  
35 same manner as other funds are invested. Any interest and moneys  
36 earned on such investments shall be credited to the fund. All costs of  
37 administering and providing for the services of Missouri care counts  
38 program shall be paid by the Missouri care counts fund, subject to  
39 appropriations.

40 5. The department of elementary and secondary education shall  
41 have the authority to promulgate rules setting forth the procedures and  
42 methods implementing the provisions of this section. Any rule or  
43 portion of a rule, as that term is defined in section 536.010 that is  
44 created under the authority delegated in this section shall become  
45 effective only if it complies with and is subject to all of the provisions  
46 of chapter 536, and, if applicable, section 536.028. This section and  
47 chapter 536 are nonseverable and if any of the powers vested with the  
48 general assembly pursuant to chapter 536, to review, to delay the  
49 effective date, or to disapprove and annul a rule are subsequently held  
50 unconstitutional, then the grant of rulemaking authority and any rule  
51 proposed or adopted after August 28, 2018, shall be invalid and void.

52 6. Under section 23.253 of the Missouri sunset act:

53 (1) The provisions of the new program authorized under this  
54 section shall automatically sunset six years after the effective date of  
55 this section unless reauthorized by an act of the general assembly; and

56 (2) If such program is reauthorized, the program authorized  
57 under this section shall automatically sunset twelve years after the  
58 effective date of the reauthorization of this section; and

59           (3) This section shall terminate on September first of the  
60 calendar year immediately following the calendar year in which the  
61 program authorized under this section is sunset.

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