

SECOND REGULAR SESSION

REVISION

# SENATE BILL NO. 796

100TH GENERAL ASSEMBLY

---

---

INTRODUCED BY SENATOR HOUGH.

Pre-filed December 18, 2019, and ordered printed.

4166S.01I

ADRIANE D. CROUSE, Secretary.

---

---

## AN ACT

To repeal sections 32.088, 67.5125, 103.175, 103.178, 104.404, 105.721, 130.034, 135.313, 135.710, 135.750, 135.980, 136.450, 143.173, 143.1008, 143.1009, 143.1013, 143.1014, 143.1017, 160.405, 160.500, 163.024, 171.034, 172.287, 173.236, 173.680, 173.2510, 178.697, 184.384, 190.450, 191.425, 191.743, 191.950, 192.926, 199.020, 208.053, 208.169, 208.627, 210.154, 215.263, 217.147, 260.900, 260.905, 260.910, 260.915, 260.920, 260.925, 260.930, 260.935, 260.940, 260.945, 260.950, 260.960, 260.965, 288.501, 319.140, 320.093, 332.304, 334.153, 338.320, 414.407, 454.433, 454.470, 454.490, 476.1000, 559.117, 620.570, 620.1910, 630.717, 633.420, 640.030, and 660.512, RSMo, and to enact in lieu thereof fourteen new sections for the sole purpose of repealing expired, terminated, sunset, and obsolete statutes.

---

---

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

Section A. Sections 32.088, 67.5125, 103.175, 103.178, 104.404, 105.721,  
2 130.034, 135.313, 135.710, 135.750, 135.980, 136.450, 143.173, 143.1008,  
3 143.1009, 143.1013, 143.1014, 143.1017, 160.405, 160.500, 163.024, 171.034,  
4 172.287, 173.236, 173.680, 173.2510, 178.697, 184.384, 190.450, 191.425, 191.743,  
5 191.950, 192.926, 199.020, 208.053, 208.169, 208.627, 210.154, 215.263, 217.147,  
6 260.900, 260.905, 260.910, 260.915, 260.920, 260.925, 260.930, 260.935, 260.940,  
7 260.945, 260.950, 260.960, 260.965, 288.501, 319.140, 320.093, 332.304, 334.153,  
8 338.320, 414.407, 454.433, 454.470, 454.490, 476.1000, 559.117, 620.570,  
9 620.1910, 630.717, 633.420, 640.030, and 660.512, RSMo, are repealed and  
10 fourteen new sections enacted in lieu thereof, to be known as sections 104.404,  
11 105.721, 130.034, 160.405, 160.500, 173.2510, 178.697, 332.304, 414.407, 454.433,

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

12 454.470, 454.490, 620.570, and 630.717, to read as follows:

13 EXPLANATION: SUBSECTIONS 7, 8, AND 9 CONTAIN REQUIREMENTS FOR  
14 REPORTS THAT WERE DUE BY 4-01-04.

104.404. 1. An employee who has not been a retiree of the system in  
2 which such employee is currently receiving creditable or credited service, who is  
3 eligible to receive a normal annuity pursuant to section 104.080, 104.090,  
4 104.100, 104.271, or 104.400, or a life and any temporary annuity pursuant to  
5 section 104.1024, and whose annuity commences no later than September 1, 2003,  
6 shall be eligible to receive the medical benefits described in section 104.403.

7 2. An employee who would be eligible to receive a normal annuity  
8 pursuant to section 104.080, 104.090, 104.100, 104.271, or 104.400, or a life and  
9 any temporary annuity pursuant to section 104.1024, no later than January 1,  
10 2004, shall be eligible to retire based on the employee's creditable or credited  
11 service and the average compensation or final average pay on the employee's date  
12 of termination of employment if the employee applies to retire and whose annuity  
13 commences no later than September 1, 2003. Such employee who so retires shall  
14 be eligible to receive the medical benefits described in subsection 1 of this section.

15 3. Any employee described in subsections 1 and 2 of this section who  
16 otherwise would be eligible to elect to receive benefits under the provisions of  
17 sections 104.625 and 104.1024, by no later than January 1, 2004, shall be eligible  
18 to elect to receive benefits pursuant to sections 104.625 and 104.1024; except that  
19 in no event shall a lump sum payment be made for any time period after the  
20 employee's annuity starting date.

21 4. A retiree whose retirement annuity commenced on or after February  
22 1, 2003, but no later than September 1, 2003, shall be eligible to receive the  
23 medical benefits described in section 104.403.

24 5. The state may hire employees to replace those employees retiring  
25 pursuant to this section and section 104.403, except that departments shall not  
26 fill more than twenty-five percent of those positions vacated. Exceptions to the  
27 twenty-five percent restriction may be made for critical or seasonal positions or  
28 positions which are entirely federally funded. Such determination shall be made  
29 by rule and regulation promulgated by the office of administration. The  
30 provisions of this subsection shall not apply to Truman University, Lincoln  
31 University or the educational institutions described in section 174.020.

32 6. Any rule or portion of a rule, as that term is defined in section 536.010,  
33 that is created under the authority delegated in this section shall become effective

34 only if it complies with and is subject to all of the provisions of chapter 536 and,  
35 if applicable, section 536.028. This section and chapter 536 are nonseverable and  
36 if any of the powers vested with the general assembly pursuant to chapter 536 to  
37 review, to delay the effective date, or to disapprove and annul a rule are  
38 subsequently held unconstitutional, then the grant of rulemaking authority and  
39 any rule proposed or adopted after August 28, 2003, shall be invalid and void.

40 7. The Missouri state employees' retirement system and the highways and  
41 transportation employees' and highway patrol retirement system shall [make a  
42 report in writing to the governor, commissioner of administration, and the general  
43 assembly by April 1, 2004, and in addition shall] provide monthly tracking of the  
44 effect of state employee retirements pursuant to this section and section  
45 104.403. [The report shall cover the time period of February 1, 2003, to January  
46 31, 2004.] The report shall include the number of such retirements, the amount  
47 of payroll affected as a result of retirements, and the financial effect of such  
48 retirements as expressed in a report by each system's actuary.

49 8. The office of administration shall [make a report in writing to the  
50 governor and the general assembly by April 1, 2004, and in addition shall]  
51 provide monthly tracking of the budgetary effect of state employee retirements  
52 pursuant to this section and section 104.403. The report shall include the  
53 amount of payroll reduced as a result of such retirements, the number of positions  
54 that are core cut as a result of such retirements, the number of employees  
55 employed to replace those who retired pursuant to this section, and the financial  
56 effect on the budget, including any costs associated with payment of medical  
57 premiums by the state.

58 9. The Missouri consolidated health care plan shall [make a report in  
59 writing to the governor and the general assembly by April 1, 2004, and in  
60 addition shall] provide monthly tracking of the effect of state employee  
61 retirements pursuant to this section and section 104.403. The report may  
62 include, and not be limited to, the amount of payroll reduced as a result of such  
63 retirements, the number of positions that are core cut as a result of such  
64 retirements, the number of employees employed to replace those who retired  
65 pursuant to this section, and the financial effect on the budget, including any  
66 costs associated with payment of medical premiums by the state.

67 EXPLANATION: THE REPORT REQUIRED UNDER SUBSECTION 2 WAS  
68 DUE BY 1-01-96.

105.721. 1. The commissioner of administration may, in his discretion,

2 direct that any or all of the moneys appropriated to the state legal expense fund  
3 be expended to procure one or more policies of insurance to insure against all or  
4 any portion of the potential liabilities of the state of Missouri or its agencies,  
5 officers, and employees.

6         2. Until July 1, 1996, the commissioner of administration may procure one  
7 or more policies of insurance or reinsurance to insure against all potential losses  
8 from liabilities incurred by the state legal expense fund under paragraphs (d) and  
9 (e) of subdivision (3) of subsection 2 of section 105.711. [On or before January 1,  
10 1996, the commissioner of administration shall prepare and distribute a report  
11 regarding the cost effectiveness of insuring against potential losses to the state  
12 under paragraphs (d) and (e) of subdivision (3) of subsection 2 of section 105.711,  
13 by the direct purchase of an insurance policy or policies as compared to  
14 self-insuring against such losses through appropriations to the state legal expense  
15 fund under section 105.711. The report shall be submitted to the governor, the  
16 speaker of the house of representatives, the president pro tempore of the senate,  
17 and upon request to any member of the general assembly.]

18         3. After consultation with the state courts administrator, the  
19 commissioner of administration shall procure such surety bonds as are required  
20 by statute and such surety bonds as he deems necessary to protect the state  
21 against loss from the acts or omissions of any person within the judiciary that  
22 receives compensation from the state. No other bond for such person shall be  
23 required for the protection of the state. A copy of any bond procured pursuant to  
24 this section shall be filed with the secretary of state.

25 EXPLANATION: SUBDIVISION (8) OF SUBSECTION 2 OF THIS SECTION  
26 EXPIRED 10-01-97.

130.034. 1. Contributions as defined in section 130.011, received by any  
2 committee shall not be converted to any personal use.

3         2. Contributions may be used for any purpose allowed by law including,  
4 but not limited to:

5             (1) Any ordinary expenses incurred relating to a campaign;

6             (2) Any ordinary and necessary expenses incurred in connection with the  
7 duties of a holder of elective office;

8             (3) Any expenses associated with the duties of candidacy or of elective  
9 office pertaining to the entertaining of or providing social courtesies to  
10 constituents, professional associations, or other holders of elective office;

11             (4) The return of any contribution to the person who made the

12 contribution to the candidate or holder of elective office;

13 (5) To contribute to a political organization or candidate committee as  
14 allowed by law;

15 (6) To establish a new committee as defined by this chapter;

16 (7) To make an unconditional gift which is fully vested to any charitable,  
17 fraternal or civic organizations or other associations formed to provide for some  
18 good in the order of benevolence, if such candidate, former candidate or holder of  
19 elective office or such person's immediate family gain no direct financial benefit  
20 from the unconditional gift[;

21 (8) Except when such candidate, former candidate or holder of elective  
22 office dies while the committee remains in existence, the committee may make an  
23 unconditional gift to a fund established for the benefit of the spouse and children  
24 of the candidate, former candidate or holder of elective office. The provisions of  
25 this subdivision shall expire October 1, 1997].

26 3. Upon the death of the candidate, former candidate or holder of elective  
27 office who received such contributions, all contributions shall be disposed of  
28 according to this section and any funds remaining after final settlement of the  
29 candidate's decedent's estate, or if no estate is opened, then twelve months after  
30 the candidate's death, will escheat to the state of Missouri to be deposited in the  
31 general revenue fund.

32 4. No contributions, as defined in section 130.011, received by a candidate,  
33 former candidate or holder of elective office shall be used to make restitution  
34 payments ordered of such individual by a court of law or for the payment of any  
35 fine resulting from conviction of a violation of any local, state or federal law.

36 5. Committees described in subdivision (17) of section 130.011 shall make  
37 expenditures only for the purpose of determining whether an individual will be  
38 a candidate. Such expenditures include polling information, mailings, personal  
39 appearances, telephone expenses, office and travel expenses but may not include  
40 contributions to other candidate committees.

41 6. Any moneys in the exploratory committee fund may be transferred to  
42 the candidate committee upon declaration of candidacy for the position being  
43 explored. Such funds shall be included for the purposes of reporting and  
44 limitation. In the event that candidacy is not declared for the position being  
45 explored, the remaining exploratory committee funds shall be returned to the  
46 contributors on a pro rata basis. In no event shall the amount returned exceed  
47 the amount given by each contributor nor be less than ten dollars.

48           7. Funds held in candidate committees, campaign committees, debt service  
49 committees, and exploratory committees shall be liquid such that these funds  
50 shall be readily available for the specific and limited purposes allowed by  
51 law. These funds may be invested only in short-term treasury instruments or  
52 short-term bank certificates with durations of one year or less, or that allow the  
53 removal of funds at any time without any additional financial penalty other than  
54 the loss of interest income. Continuing committees, political party committees,  
55 and other committees such as out-of-state committees not formed for the benefit  
56 of any single candidate or ballot issue shall not be subject to the provisions of this  
57 subsection. This subsection shall not be interpreted to restrict the placement of  
58 funds in an interest-bearing checking account.

59 EXPLANATION: THE REPORT UNDER SUBSECTION 16 WAS DUE 12-31-16.

160.405. 1. A person, group or organization seeking to establish a charter  
2 school shall submit the proposed charter, as provided in this section, to a sponsor.  
3 If the sponsor is not a school board, the applicant shall give a copy of its  
4 application to the school board of the district in which the charter school is to be  
5 located and to the state board of education, within five business days of the date  
6 the application is filed with the proposed sponsor. The school board may file  
7 objections with the proposed sponsor, and, if a charter is granted, the school  
8 board may file objections with the state board of education. The charter shall  
9 include a legally binding performance contract that describes the obligations and  
10 responsibilities of the school and the sponsor as outlined in sections 160.400 to  
11 160.425 and section 167.349 and shall address the following:

12           (1) A mission and vision statement for the charter school;

13           (2) A description of the charter school's organizational structure and  
14 bylaws of the governing body, which will be responsible for the policy, financial  
15 management, and operational decisions of the charter school, including the nature  
16 and extent of parental, professional educator, and community involvement in the  
17 governance and operation of the charter school;

18           (3) A financial plan for the first three years of operation of the charter  
19 school including provisions for annual audits;

20           (4) A description of the charter school's policy for securing personnel  
21 services, its personnel policies, personnel qualifications, and professional  
22 development plan;

23           (5) A description of the grades or ages of students being served;

24           (6) The school's calendar of operation, which shall include at least the

25 equivalent of a full school term as defined in section 160.011;

26 (7) A description of the charter school's pupil performance standards and  
27 academic program performance standards, which shall meet the requirements of  
28 subdivision (6) of subsection 4 of this section. The charter school program shall  
29 be designed to enable each pupil to achieve such standards and shall contain a  
30 complete set of indicators, measures, metrics, and targets for academic program  
31 performance, including specific goals on graduation rates and standardized test  
32 performance and academic growth;

33 (8) A description of the charter school's educational program and  
34 curriculum;

35 (9) The term of the charter, which shall be five years and may be renewed;

36 (10) Procedures, consistent with the Missouri financial accounting  
37 manual, for monitoring the financial accountability of the charter, which shall  
38 meet the requirements of subdivision (4) of subsection 4 of this section;

39 (11) Preopening requirements for applications that require that charter  
40 schools meet all health, safety, and other legal requirements prior to opening;

41 (12) A description of the charter school's policies on student discipline and  
42 student admission, which shall include a statement, where applicable, of the  
43 validity of attendance of students who do not reside in the district but who may  
44 be eligible to attend under the terms of judicial settlements and procedures that  
45 ensure admission of students with disabilities in a nondiscriminatory manner;

46 (13) A description of the charter school's grievance procedure for parents  
47 or guardians;

48 (14) A description of the agreement and time frame for implementation  
49 between the charter school and the sponsor as to when a sponsor shall intervene  
50 in a charter school, when a sponsor shall revoke a charter for failure to comply  
51 with subsection 8 of this section, and when a sponsor will not renew a charter  
52 under subsection 9 of this section;

53 (15) Procedures to be implemented if the charter school should close, as  
54 provided in subdivision (6) of subsection 16 of section 160.400 including:

55 (a) Orderly transition of student records to new schools and archival of  
56 student records;

57 (b) Archival of business operation and transfer or repository of personnel  
58 records;

59 (c) Submission of final financial reports;

60 (d) Resolution of any remaining financial obligations;

61 (e) Disposition of the charter school's assets upon closure; and  
62 (f) A notification plan to inform parents or guardians of students, the local  
63 school district, the retirement system in which the charter school's employees  
64 participate, and the state board of education within thirty days of the decision to  
65 close;

66 (16) A description of the special education and related services that shall  
67 be available to meet the needs of students with disabilities; and

68 (17) For all new or revised charters, procedures to be used upon closure  
69 of the charter school requiring that unobligated assets of the charter school be  
70 returned to the department of elementary and secondary education for their  
71 disposition, which upon receipt of such assets shall return them to the local  
72 school district in which the school was located, the state, or any other entity to  
73 which they would belong.

74 Charter schools operating on August 27, 2012, shall have until August 28, 2015,  
75 to meet the requirements of this subsection.

76 2. Proposed charters shall be subject to the following requirements:

77 (1) A charter shall be submitted to the sponsor, and follow the sponsor's  
78 policies and procedures for review and granting of a charter approval, and be  
79 approved by the state board of education by January thirty-first prior to the  
80 school year of the proposed opening date of the charter school;

81 (2) A charter may be approved when the sponsor determines that the  
82 requirements of this section are met, determines that the applicant is sufficiently  
83 qualified to operate a charter school, and that the proposed charter is consistent  
84 with the sponsor's charter sponsorship goals and capacity. The sponsor's decision  
85 of approval or denial shall be made within ninety days of the filing of the  
86 proposed charter;

87 (3) If the charter is denied, the proposed sponsor shall notify the applicant  
88 in writing as to the reasons for its denial and forward a copy to the state board  
89 of education within five business days following the denial;

90 (4) If a proposed charter is denied by a sponsor, the proposed charter may  
91 be submitted to the state board of education, along with the sponsor's written  
92 reasons for its denial. If the state board determines that the applicant meets the  
93 requirements of this section, that the applicant is sufficiently qualified to operate  
94 the charter school, and that granting a charter to the applicant would be likely  
95 to provide educational benefit to the children of the district, the state board may  
96 grant a charter and act as sponsor of the charter school. The state board shall



97 review the proposed charter and make a determination of whether to deny or  
98 grant the proposed charter within sixty days of receipt of the proposed charter,  
99 provided that any charter to be considered by the state board of education under  
100 this subdivision shall be submitted no later than March first prior to the school  
101 year in which the charter school intends to begin operations. The state board of  
102 education shall notify the applicant in writing as the reasons for its denial, if  
103 applicable; and

104 (5) The sponsor of a charter school shall give priority to charter school  
105 applicants that propose a school oriented to high-risk students and to the reentry  
106 of dropouts into the school system. If a sponsor grants three or more charters,  
107 at least one-third of the charters granted by the sponsor shall be to schools that  
108 actively recruit dropouts or high-risk students as their student body and address  
109 the needs of dropouts or high-risk students through their proposed mission,  
110 curriculum, teaching methods, and services. For purposes of this subsection, a  
111 "high-risk" student is one who is at least one year behind in satisfactory  
112 completion of course work or obtaining high school credits for graduation, has  
113 dropped out of school, is at risk of dropping out of school, needs drug and alcohol  
114 treatment, has severe behavioral problems, has been suspended from school three  
115 or more times, has a history of severe truancy, is a pregnant or parenting teen,  
116 has been referred for enrollment by the judicial system, is exiting incarceration,  
117 is a refugee, is homeless or has been homeless sometime within the preceding six  
118 months, has been referred by an area school district for enrollment in an  
119 alternative program, or qualifies as high risk under department of elementary  
120 and secondary education guidelines. Dropout shall be defined through the  
121 guidelines of the school core data report. The provisions of this subsection do not  
122 apply to charters sponsored by the state board of education.

123 3. If a charter is approved by a sponsor, the charter application shall be  
124 submitted to the state board of education, along with a statement of finding by  
125 the sponsor that the application meets the requirements of sections 160.400 to  
126 160.425 and section 167.349 and a monitoring plan under which the charter  
127 sponsor shall evaluate the academic performance, including annual performance  
128 reports, of students enrolled in the charter school. The state board of education  
129 shall approve or deny a charter application within sixty days of receipt of the  
130 application. The state board of education may deny a charter on grounds that the  
131 application fails to meet the requirements of sections 160.400 to 160.425 and  
132 section 167.349 or that a charter sponsor previously failed to meet the statutory

133 responsibilities of a charter sponsor. Any denial of a charter application made  
134 by the state board of education shall be in writing and shall identify the specific  
135 failures of the application to meet the requirements of sections 160.400 to 160.425  
136 and section 167.349, and the written denial shall be provided within ten business  
137 days to the sponsor.

138 4. A charter school shall, as provided in its charter:

139 (1) Be nonsectarian in its programs, admission policies, employment  
140 practices, and all other operations;

141 (2) Comply with laws and regulations of the state, county, or city relating  
142 to health, safety, and state minimum educational standards, as specified by the  
143 state board of education, including the requirements relating to student discipline  
144 under sections 160.261, 167.161, 167.164, and 167.171, notification of criminal  
145 conduct to law enforcement authorities under sections 167.115 to 167.117,  
146 academic assessment under section 160.518, transmittal of school records under  
147 section 167.020, the minimum amount of school time required under section  
148 171.031, and the employee criminal history background check and the family care  
149 safety registry check under section 168.133;

150 (3) Except as provided in sections 160.400 to 160.425 and as specifically  
151 provided in other sections, be exempt from all laws and rules relating to schools,  
152 governing boards and school districts;

153 (4) Be financially accountable, use practices consistent with the Missouri  
154 financial accounting manual, provide for an annual audit by a certified public  
155 accountant, publish audit reports and annual financial reports as provided in  
156 chapter 165, provided that the annual financial report may be published on the  
157 department of elementary and secondary education's internet website in addition  
158 to other publishing requirements, and provide liability insurance to indemnify the  
159 school, its board, staff and teachers against tort claims. A charter school that  
160 receives local educational agency status under subsection 6 of this section shall  
161 meet the requirements imposed by the Elementary and Secondary Education Act  
162 for audits of such agencies and comply with all federal audit requirements for  
163 charters with local educational agency status. For purposes of an audit by  
164 petition under section 29.230, a charter school shall be treated as a political  
165 subdivision on the same terms and conditions as the school district in which it is  
166 located. For the purposes of securing such insurance, a charter school shall be  
167 eligible for the Missouri public entity risk management fund pursuant to section  
168 537.700. A charter school that incurs debt shall include a repayment plan in its

169 financial plan;

170 (5) Provide a comprehensive program of instruction for at least one grade  
171 or age group from early childhood through grade twelve, as specified in its  
172 charter;

173 (6) (a) Design a method to measure pupil progress toward the pupil  
174 academic standards adopted by the state board of education pursuant to section  
175 160.514, establish baseline student performance in accordance with the  
176 performance contract during the first year of operation, collect student  
177 performance data as defined by the annual performance report throughout the  
178 duration of the charter to annually monitor student academic performance, and  
179 to the extent applicable based upon grade levels offered by the charter school,  
180 participate in the statewide system of assessments, comprised of the essential  
181 skills tests and the nationally standardized norm-referenced achievement tests,  
182 as designated by the state board pursuant to section 160.518, complete and  
183 distribute an annual report card as prescribed in section 160.522, which shall also  
184 include a statement that background checks have been completed on the charter  
185 school's board members, and report to its sponsor, the local school district, and  
186 the state board of education as to its teaching methods and any educational  
187 innovations and the results thereof. No charter school shall be considered in the  
188 Missouri school improvement program review of the district in which it is located  
189 for the resource or process standards of the program.

190 (b) For proposed high-risk or alternative charter schools, sponsors shall  
191 approve performance measures based on mission, curriculum, teaching methods,  
192 and services. Sponsors shall also approve comprehensive academic and  
193 behavioral measures to determine whether students are meeting performance  
194 standards on a different time frame as specified in that school's charter. Student  
195 performance shall be assessed comprehensively to determine whether a high-risk  
196 or alternative charter school has documented adequate student progress. Student  
197 performance shall be based on sponsor-approved comprehensive measures as well  
198 as standardized public school measures. Annual presentation of charter school  
199 report card data to the department of elementary and secondary education, the  
200 state board, and the public shall include comprehensive measures of student  
201 progress.

202 (c) Nothing in this subdivision shall be construed as permitting a charter  
203 school to be held to lower performance standards than other public schools within  
204 a district; however, the charter of a charter school may permit students to meet

205 performance standards on a different time frame as specified in its charter. The  
206 performance standards for alternative and special purpose charter schools that  
207 target high-risk students as defined in subdivision (5) of subsection 2 of this  
208 section shall be based on measures defined in the school's performance contract  
209 with its sponsors;

210 (7) Comply with all applicable federal and state laws and regulations  
211 regarding students with disabilities, including sections 162.670 to 162.710, the  
212 Individuals with Disabilities Education Act (20 U.S.C. Section 1400) and Section  
213 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794) or successor  
214 legislation;

215 (8) Provide along with any request for review by the state board of  
216 education the following:

217 (a) Documentation that the applicant has provided a copy of the  
218 application to the school board of the district in which the charter school is to be  
219 located, except in those circumstances where the school district is the sponsor of  
220 the charter school; and

221 (b) A statement outlining the reasons for approval or denial by the  
222 sponsor, specifically addressing the requirements of sections 160.400 to 160.425  
223 and 167.349.

224 5. (1) Proposed or existing high-risk or alternative charter schools may  
225 include alternative arrangements for students to obtain credit for satisfying  
226 graduation requirements in the school's charter application and  
227 charter. Alternative arrangements may include, but not be limited to, credit for  
228 off-campus instruction, embedded credit, work experience through an internship  
229 arranged through the school, and independent studies. When the state board of  
230 education approves the charter, any such alternative arrangements shall be  
231 approved at such time.

232 (2) The department of elementary and secondary education shall conduct  
233 a study of any charter school granted alternative arrangements for students to  
234 obtain credit under this subsection after three years of operation to assess  
235 student performance, graduation rates, educational outcomes, and entry into the  
236 workforce or higher education.

237 6. The charter of a charter school may be amended at the request of the  
238 governing body of the charter school and on the approval of the sponsor. The  
239 sponsor and the governing board and staff of the charter school shall jointly  
240 review the school's performance, management and operations during the first year

241 of operation and then every other year after the most recent review or at any  
242 point where the operation or management of the charter school is changed or  
243 transferred to another entity, either public or private. The governing board of a  
244 charter school may amend the charter, if the sponsor approves such amendment,  
245 or the sponsor and the governing board may reach an agreement in writing to  
246 reflect the charter school's decision to become a local educational agency. In such  
247 case the sponsor shall give the department of elementary and secondary  
248 education written notice no later than March first of any year, with the  
249 agreement to become effective July first. The department may waive the March  
250 first notice date in its discretion. The department shall identify and furnish a list  
251 of its regulations that pertain to local educational agencies to such schools within  
252 thirty days of receiving such notice.

253 7. Sponsors shall annually review the charter school's compliance with  
254 statutory standards including:

255 (1) Participation in the statewide system of assessments, as designated  
256 by the state board of education under section 160.518;

257 (2) Assurances for the completion and distribution of an annual report  
258 card as prescribed in section 160.522;

259 (3) The collection of baseline data during the first three years of operation  
260 to determine the longitudinal success of the charter school;

261 (4) A method to measure pupil progress toward the pupil academic  
262 standards adopted by the state board of education under section 160.514; and

263 (5) Publication of each charter school's annual performance report.

264 8. (1) (a) A sponsor's policies shall give schools clear, adequate,  
265 evidence-based, and timely notice of contract violations or performance  
266 deficiencies and mandate intervention based upon findings of the state board of  
267 education of the following:

268 a. The charter school provides a high school program which fails to  
269 maintain a graduation rate of at least seventy percent in three of the last four  
270 school years unless the school has dropout recovery as its mission;

271 b. The charter school's annual performance report results are below the  
272 district's annual performance report results based on the performance standards  
273 that are applicable to the grade level configuration of both the charter school and  
274 the district in which the charter school is located in three of the last four school  
275 years; and

276 c. The charter school is identified as a persistently lowest achieving school

277 by the department of elementary and secondary education.

278 (b) A sponsor shall have a policy to revoke a charter during the charter  
279 term if there is:

280 a. Clear evidence of underperformance as demonstrated in the charter  
281 school's annual performance report in three of the last four school years; or

282 b. A violation of the law or the public trust that imperils students or  
283 public funds.

284 (c) A sponsor shall revoke a charter or take other appropriate remedial  
285 action, which may include placing the charter school on probationary status for  
286 no more than twenty-four months, provided that no more than one designation  
287 of probationary status shall be allowed for the duration of the charter contract,  
288 at any time if the charter school commits a serious breach of one or more  
289 provisions of its charter or on any of the following grounds: failure to meet the  
290 performance contract as set forth in its charter, failure to meet generally accepted  
291 standards of fiscal management, failure to provide information necessary to  
292 confirm compliance with all provisions of the charter and sections 160.400 to  
293 160.425 and 167.349 within forty-five days following receipt of written notice  
294 requesting such information, or violation of law.

295 (2) The sponsor may place the charter school on probationary status to  
296 allow the implementation of a remedial plan, which may require a change of  
297 methodology, a change in leadership, or both, after which, if such plan is  
298 unsuccessful, the charter may be revoked.

299 (3) At least sixty days before acting to revoke a charter, the sponsor shall  
300 notify the governing board of the charter school of the proposed action in  
301 writing. The notice shall state the grounds for the proposed action. The school's  
302 governing board may request in writing a hearing before the sponsor within two  
303 weeks of receiving the notice.

304 (4) The sponsor of a charter school shall establish procedures to conduct  
305 administrative hearings upon determination by the sponsor that grounds exist to  
306 revoke a charter. Final decisions of a sponsor from hearings conducted pursuant  
307 to this subsection are subject to an appeal to the state board of education, which  
308 shall determine whether the charter shall be revoked.

309 (5) A termination shall be effective only at the conclusion of the school  
310 year, unless the sponsor determines that continued operation of the school  
311 presents a clear and immediate threat to the health and safety of the children.

312 (6) A charter sponsor shall make available the school accountability report

313 card information as provided under section 160.522 and the results of the  
314 academic monitoring required under subsection 3 of this section.

315 9. (1) A sponsor shall take all reasonable steps necessary to confirm that  
316 each charter school sponsored by such sponsor is in material compliance and  
317 remains in material compliance with all material provisions of the charter and  
318 sections 160.400 to 160.425 and 167.349. Every charter school shall provide all  
319 information necessary to confirm ongoing compliance with all provisions of its  
320 charter and sections 160.400 to 160.425 and 167.349 in a timely manner to its  
321 sponsor.

322 (2) The sponsor's renewal process of the charter school shall be based on  
323 the thorough analysis of a comprehensive body of objective evidence and consider  
324 if:

325 (a) The charter school has maintained results on its annual performance  
326 report that meet or exceed the district in which the charter school is located  
327 based on the performance standards that are applicable to the grade-level  
328 configuration of both the charter school and the district in which the charter  
329 school is located in three of the last four school years;

330 (b) The charter school is organizationally and fiscally viable determining  
331 at a minimum that the school does not have:

332 a. A negative balance in its operating funds;

333 b. A combined balance of less than three percent of the amount expended  
334 for such funds during the previous fiscal year; or

335 c. Expenditures that exceed receipts for the most recently completed fiscal  
336 year;

337 (c) The charter is in compliance with its legally binding performance  
338 contract and sections 160.400 to 160.425 and section 167.349; and

339 (d) The charter school has an annual performance report consistent with  
340 a classification of accredited for three of the last four years and is fiscally viable  
341 as described in paragraph (b) of this subdivision. If such is the case, the charter  
342 school may have an expedited renewal process as defined by rule of the  
343 department of elementary and secondary education.

344 (3) (a) Beginning August first during the year in which a charter is  
345 considered for renewal, a charter school sponsor shall demonstrate to the state  
346 board of education that the charter school is in compliance with federal and state  
347 law as provided in sections 160.400 to 160.425 and section 167.349 and the  
348 school's performance contract including but not limited to those requirements

349 specific to academic performance.

350 (b) Along with data reflecting the academic performance standards  
351 indicated in paragraph (a) of this subdivision, the sponsor shall submit a revised  
352 charter application to the state board of education for review.

353 (c) Using the data requested and the revised charter application under  
354 paragraphs (a) and (b) of this subdivision, the state board of education shall  
355 determine if compliance with all standards enumerated in this subdivision has  
356 been achieved. The state board of education at its next regularly scheduled  
357 meeting shall vote on the revised charter application.

358 (d) If a charter school sponsor demonstrates the objectives identified in  
359 this subdivision, the state board of education shall renew the school's charter.

360 10. A school district may enter into a lease with a charter school for  
361 physical facilities.

362 11. A governing board or a school district employee who has control over  
363 personnel actions shall not take unlawful reprisal against another employee at  
364 the school district because the employee is directly or indirectly involved in an  
365 application to establish a charter school. A governing board or a school district  
366 employee shall not take unlawful reprisal against an educational program of the  
367 school or the school district because an application to establish a charter school  
368 proposes the conversion of all or a portion of the educational program to a charter  
369 school. As used in this subsection, "unlawful reprisal" means an action that is  
370 taken by a governing board or a school district employee as a direct result of a  
371 lawful application to establish a charter school and that is adverse to another  
372 employee or an educational program.

373 12. Charter school board members shall be subject to the same liability  
374 for acts while in office as if they were regularly and duly elected members of  
375 school boards in any other public school district in this state. The governing  
376 board of a charter school may participate, to the same extent as a school board,  
377 in the Missouri public entity risk management fund in the manner provided  
378 under sections 537.700 to 537.756.

379 13. Any entity, either public or private, operating, administering, or  
380 otherwise managing a charter school shall be considered a quasi-public  
381 governmental body and subject to the provisions of sections 610.010 to 610.035.

382 14. The chief financial officer of a charter school shall maintain:

383 (1) A surety bond in an amount determined by the sponsor to be adequate  
384 based on the cash flow of the school; or



385 (2) An insurance policy issued by an insurance company licensed to do  
386 business in Missouri on all employees in the amount of five hundred thousand  
387 dollars or more that provides coverage in the event of employee theft.

388 15. The department of elementary and secondary education shall calculate  
389 an annual performance report for each charter school and shall publish it in the  
390 same manner as annual performance reports are calculated and published for  
391 districts and attendance centers.

392 [16. The joint committee on education shall create a committee to  
393 investigate facility access and affordability for charter schools. The committee  
394 shall be comprised of equal numbers of the charter school sector and the public  
395 school sector and shall report its findings to the general assembly by December  
396 31, 2016.]

397 EXPLANATION: THE INTERSECTIONAL REFERENCE IN SUBSECTION 3  
398 OF THIS SECTION BECAME OBSOLETE DUE TO THE STATUTORY  
399 CHANGES TO SECTION 143.071 IN 2018.

160.500. 1. Sections 160.500 to 160.538, sections 160.545 and 160.550,  
2 sections 161.099 and 161.610, sections 162.203 and 162.1010, section 163.023,  
3 sections 166.275 and 166.300, section 170.254, section 173.750, and sections  
4 178.585 and 178.698 may be cited as the "Outstanding Schools Act" and includes  
5 provisions relating to reduced class size, the A+ schools program, funding for  
6 parents as teachers and early childhood development, teacher training, the  
7 upgrading of vocational and technical education, measures to promote  
8 accountability and other provisions of those sections.

9 2. There is hereby established in the state treasury the "Outstanding  
10 Schools Trust Fund". The moneys in the fund shall be available to support only  
11 the provisions, reforms and programs referenced in subsection 1 of this section  
12 or otherwise contained in this act. The fund shall consist of moneys required by  
13 law to be credited to such fund and moneys appropriated annually by the general  
14 assembly. Notwithstanding the provisions of section 33.080 to the contrary,  
15 moneys in the fund shall not be transferred to the credit of the general revenue  
16 fund at the end of the biennium. All yield, interest, income, increment or gain  
17 received from time deposit of moneys in the state treasury to the credit of the  
18 fund shall be credited by the state treasurer to the fund. Of all refunds made of  
19 taxes deposited into the fund, the appropriate percentage of any refund shall be  
20 paid from the fund or deducted from transfers to the fund.

21 3. The commissioner of administration shall estimate and furnish to the

22 state treasurer the appropriate net increase in the amount of state tax revenues  
23 collected and any adjustments to previous estimates pursuant to this act from the  
24 following: the additional one and one-fourth percent tax on Missouri taxable  
25 income collected under subsection 2 **and 3** of section 143.071; and the reduction  
26 of the federal income tax deduction pursuant to subsections 3 and 4 of section  
27 143.171, not including any change in tax collections resulting from any revision  
28 of the federal tax code made after January 1, 1993. The treasurer shall transfer  
29 monthly from general revenue an amount equal to the estimate to the  
30 outstanding schools trust fund established in subsection 2 of this section.

31 EXPLANATION: HE REPORT UNDER SUBSECTION 3 OF THIS SECTION  
32 WAS DUE BY 12-01-17.

173.2510. 1. This section shall be known and may be cited as the "15 to  
2 Finish Act".

3 2. The coordinating board for higher education, in cooperation with public  
4 institutions of higher education in this state, shall develop policies that promote  
5 the on-time completion of degree programs by students. The policies shall  
6 include, but not be limited to:

7 (1) Defining on-time completion for specific levels of postsecondary  
8 credentials;

9 (2) Providing financial incentives to students during their senior year of  
10 undergraduate study who are on pace to graduate in no more than eight  
11 semesters; and

12 (3) Reducing, when feasible and permitted by accreditation or  
13 occupational licensure, the number of credit hours required to earn a degree.

14 [3. By December 1, 2017, the department of higher education shall provide  
15 a report to the governor and the general assembly describing the actions taken  
16 to implement these provisions.]

17 EXPLANATION: SUBSECTION 4 OF THIS SECTION EXPIRED 12-31-15.

178.697. 1. Funding for sections 178.691 to 178.699 shall be made  
2 available pursuant to section 163.031 and shall be subject to appropriations made  
3 for this purpose.

4 2. Costs of contractual arrangements shall be the obligation of the school  
5 district of residence of each preschool child. Costs of contractual arrangements  
6 shall not exceed an amount equal to an amount reimbursable to the school  
7 districts under the provisions of sections 178.691 to 178.699.

8 3. Payments for participants for programs outlined in section 178.693

9 shall be uniform for all districts or public agencies.

10 [4. Families with children under the age of kindergarten entry shall be  
11 eligible to receive annual development screenings and parents shall be eligible to  
12 receive prenatal visits under sections 178.691 to 178.699. Priority for service  
13 delivery of approved parent education programs under sections 178.691 to  
14 178.699, which includes, but is not limited to, home visits, group meetings,  
15 screenings, and service referrals, shall be given to high-needs families in  
16 accordance with criteria set forth by the department of elementary and secondary  
17 education. Local school districts may establish cost sharing strategies to  
18 supplement funding for such program services. The provisions of this subsection  
19 shall expire on December 31, 2015, unless reauthorized by an act of the general  
20 assembly.]

21 EXPLANATION: THE REPORT IN SUBDIVISION (4) WAS DUE 11-01-05.

332.304. The specific duties of the committee shall include the following:

2 (1) Designing a training program for dental hygienists which allows  
3 coursework to be completed off-site from the educational institution, and clinical  
4 and didactic training to be delivered in the office of a dentist licensed under this  
5 chapter, if such offsite dental office is a part of an accredited dental hygiene  
6 program through the Commission on Dental Accreditation of the American Dental  
7 Association as an extended campus facility or any other facility approved by the  
8 council on dental accreditation;

9 (2) Developing suggestions for the creation of a contract between the  
10 department and an institution of higher education to establish the training  
11 program designed under subdivision (1) of this section;

12 (3) Analyzing issues relating to the curriculum, funding, and  
13 administration of the training program designed under subdivision (1) of this  
14 section]; and

15 (4) On or before November 1, 2005, delivering to both houses of the  
16 general assembly and the governor a report on the training program designed  
17 under subdivision (1) of this section and any suggestions developed and analysis  
18 made under subdivisions (2) and (3) of this section].

19 EXPLANATION: THE REPORT UNDER SUBSECTION 7 OF THIS SECTION  
20 WAS DUE 1-01-02.

414.407. 1. As used in this section, the following terms mean:

2 (1) "B-20", a blend of twenty percent by volume biodiesel fuel and eighty  
3 percent by volume petroleum-based diesel fuel;

4           (2) "Biodiesel", fuel as defined in ASTM Standard PS121;  
5           (3) "EPAAct", the federal Energy Policy Act, 42 U.S.C. 13201, et seq.;;  
6           (4) "EPAAct credit", a credit issued pursuant to EPAAct;  
7           (5) "Fund", the biodiesel fuel revolving fund;  
8           (6) "Incremental cost", the difference in cost between biodiesel fuel and  
9 conventional petroleum-based diesel fuel at the time the biodiesel fuel is  
10 purchased.

11           2. The department, in cooperation with the department of agriculture,  
12 shall establish and administer an EPAAct credit banking and selling program to  
13 allow state agencies to use moneys generated by the sale of EPAAct credits to  
14 purchase biodiesel fuel for use in state vehicles. Each state agency shall provide  
15 the department with all vehicle fleet information necessary to determine the  
16 number of EPAAct credits generated by the agency. The department may sell  
17 credits in any manner pursuant to the provisions of EPAAct.

18           3. There is hereby created in the state treasury the "Biodiesel Fuel  
19 Revolving Fund", into which shall be deposited moneys received from the sale of  
20 EPAAct credits banked by state agencies on August 28, 2001, and in future  
21 reporting years, any moneys appropriated to the fund by the general assembly,  
22 and any other moneys obtained or accepted by the department for deposit into the  
23 fund. The fund shall be managed to maximize benefits to the state in the  
24 purchase of biodiesel fuel and, when possible, to accrue those benefits to state  
25 agencies in proportion to the number of EPAAct credits generated by each  
26 respective agency.

27           4. Moneys deposited into the fund shall be used to pay for the incremental  
28 cost of biodiesel fuel with a minimum biodiesel concentration of B-20 for use in  
29 state vehicles and for administration of the fund. Not later than January  
30 thirty-first of each year, the department shall submit an annual report to the  
31 general assembly on the expenditures from the fund during the preceding fiscal  
32 year.

33           5. Notwithstanding the provisions of section 33.080, no portion of the fund  
34 shall be transferred to the general revenue fund, and any appropriation made to  
35 the fund shall not lapse. The state treasurer shall invest moneys in the fund in  
36 the same manner as other funds are invested. Interest and moneys earned on  
37 such investments shall be credited to the fund.

38           6. The department shall promulgate such rules as are necessary to  
39 implement this section. No rule or portion of a rule promulgated pursuant to this

40 section shall become effective unless it has been promulgated pursuant to chapter  
41 536.

42 [7. The department shall conduct a study of the use of alternative fuels  
43 in motor vehicles in the state and shall report its findings and recommendations  
44 to the general assembly no later than January 1, 2002. Such study shall include:

45 (1) An analysis of the current use of alternative fuels in public and private  
46 vehicle fleets in the state;

47 (2) An assessment of methods that the state may use to increase use of  
48 alternative fuels in vehicle fleets, including the sale of credits generated pursuant  
49 to the federal Energy Policy Act, 42 U.S.C. 13201, et seq., to pay for the difference  
50 in cost between alternative fuels and conventional fuels;

51 (3) An assessment of the benefits or harm that increased use of  
52 alternative fuels may make to the state's economy and environment;

53 (4) Any other information that the department deems relevant.]

54 EXPLANATION: INTERSECTIONAL REFERENCES IN THESE SECTIONS  
55 BECAME OBSOLETE WITH THE REPEAL OF SECTIONS 454.850 TO 454.997.

454.433. 1. When a tribunal of another state as defined in section  
2 [454.850] **454.1503** has ordered support payments to a person who has made an  
3 assignment of child support rights to the family support division or who is  
4 receiving child support services pursuant to section 454.425, the family support  
5 division may notify the court of this state in the county in which the obligor,  
6 obligee or the child resides or works. Until October 1, 1999, upon such notice the  
7 circuit clerk shall accept all support payments and remit such payments to the  
8 person or entity entitled to receive the payments. Effective October 1, 1999, the  
9 division shall order the payment center to accept all support payments and remit  
10 such payments to the person or entity entitled to receive the payments.

11 2. Notwithstanding any provision of law to the contrary, the notification  
12 to the court by the division shall authorize the court to make the clerk  
13 trustee. The clerk shall keep an accurate record of such payments and shall  
14 report all collections to the division in the manner specified by the  
15 division. Effective October 1, 1999, the duties of the clerk as trustee pursuant to  
16 this section shall terminate and all payments shall be made to the payment  
17 center pursuant to section 454.530.

454.470. 1. The director may issue a notice and finding of financial  
2 responsibility to a parent who owes a state debt or who is responsible for the  
3 support of a child on whose behalf the custodian of that child is receiving support

4 enforcement services from the division pursuant to section 454.425 if a court  
5 order has not been previously entered against that parent, a court order has been  
6 previously entered but has been terminated by operation of law or if a support  
7 order from another state has been entered but is not entitled to recognition under  
8 sections [454.850 to 454.997] **454.1500 to 454.1728**. Service of the notice and  
9 finding shall be made on the parent or other party in the manner prescribed for  
10 service of process in a civil action by an authorized process server appointed by  
11 the director, or by certified mail, return receipt requested. The director may  
12 appoint any uninterested party, including but not limited to employees of the  
13 division, to serve such process. For purposes of this subsection, a parent who  
14 refuses receipt of service by certified mail is deemed to have been served. Service  
15 upon an obligee who is receiving support enforcement services under section  
16 454.425 may be made by regular mail. When appropriate to the circumstances  
17 of the individual action, the notice shall state:

18 (1) The name of the person or agency with custody of the dependent child  
19 and the name of the dependent child for whom support is to be paid;

20 (2) The monthly future support for which the parent shall be responsible;

21 (3) The state debt, if any, accrued and accruing, and the monthly payment  
22 to be made on the state debt which has accrued;

23 (4) A statement of the costs of collection, including attorney's fees, which  
24 may be assessed against the parent;

25 (5) That the parent shall be responsible for providing medical insurance  
26 for the dependent child;

27 (6) That if a parent desires to discuss the amount of support that should  
28 be paid, the parent or person having custody of the child may, within twenty days  
29 after being served, contact the division office which sent the notice and request  
30 a negotiation conference. The other parent or person having custody of the child  
31 shall be notified of the negotiated conference and may participate in the  
32 conference. If no agreement is reached on the monthly amount to be paid, the  
33 director may issue a new notice and finding of financial responsibility, which may  
34 be sent to the parent required to pay support by regular mail addressed to the  
35 parent's last known address or, if applicable, the parent's attorney's last known  
36 address. A copy of the new notice and finding shall be sent by regular mail to the  
37 other parent or person having custody of the child;

38 (7) That if a parent or person having custody of the child objects to all or  
39 any part of the notice and finding of financial responsibility and no negotiation

40 conference is requested, within twenty days of the date of service the parent or  
41 person having custody of the child shall send to the division office which issued  
42 the notice a written response which sets forth any objections and requests a  
43 hearing; and, that if the director issues a new notice and finding of financial  
44 responsibility, the parent or person having custody of the child shall have twenty  
45 days from the date of issuance of the new notice to send a hearing request;

46 (8) That if such a timely response is received by the appropriate division  
47 office, and if such response raises factual questions requiring the submission of  
48 evidence, the parent or person having custody of the child shall have the right to  
49 a hearing before an impartial hearing officer who is an attorney licensed to  
50 practice law in Missouri and, that if no timely written response is received, the  
51 director may enter an order in accordance with the notice and finding of financial  
52 responsibility;

53 (9) That the parent has the right to be represented at the hearing by an  
54 attorney of the parent's own choosing;

55 (10) That the parent or person having custody of the child has the right  
56 to obtain evidence and examine witnesses as provided for in chapter 536, together  
57 with an explanation of the procedure the parent or person having custody of the  
58 child shall follow in order to exercise such rights;

59 (11) That as soon as the order is entered, the property of the parent  
60 required to pay support shall be subject to collection actions, including, but not  
61 limited to, wage withholding, garnishment, liens, and execution thereon;

62 (12) A reference to sections 454.460 to 454.510;

63 (13) That the parent is responsible for notifying the division of any change  
64 of address or employment;

65 (14) That if the parent has any questions, the parent should telephone or  
66 visit the appropriate division office or consult an attorney; and

67 (15) Such other information as the director finds appropriate.

68 2. The statement of periodic future support required by subdivision (2) of  
69 subsection 1 of this section is to be computed under the guidelines established in  
70 subsection 8 of section 452.340.

71 3. Any time limits for notices or requests may be extended by the director,  
72 and such extension shall have no effect on the jurisdiction of the court,  
73 administrative body, or other entity having jurisdiction over the proceedings.

74 4. If a timely written response setting forth objections and requesting a  
75 hearing is received by the appropriate division office, and if such response raises

76 a factual question requiring the submission of evidence, a hearing shall be held  
77 in the manner provided by section 454.475. If no timely written response and  
78 request for hearing is received by the appropriate division office, the director may  
79 enter an order in accordance with the notice, and shall specify:

80 (1) The amount of periodic support to be paid, with directions on the  
81 manner of payment;

82 (2) The amount of state debt, if any, accrued in favor of the department;

83 (3) The monthly payment to be made on state debt, if any;

84 (4) The amount of costs of collection, including attorney's fees, assessed  
85 against the parent;

86 (5) The name of the person or agency with custody of the dependent child  
87 and the name and birth date of the dependent child for whom support is to be  
88 paid;

89 (6) That the property of the parent is subject to collection actions,  
90 including, but not limited to, wage withholding, garnishment, liens, and execution  
91 thereon; and

92 (7) If appropriate, that the parent shall provide medical insurance for the  
93 dependent child, or shall pay the reasonable and necessary medical expenses of  
94 the dependent child.

95 5. The parent or person having custody of the child shall be sent a copy  
96 of the order by regular mail addressed to the parent's last known address or, if  
97 applicable, the parent's attorney's last known address. The order is final, and  
98 action by the director to enforce and collect upon the order, including arrearages,  
99 may be taken from the date of issuance of the order.

100 6. Copies of the orders issued pursuant to this section shall be mailed  
101 within fourteen days of the issuance of the order.

102 7. Any parent or person having custody of the child who is aggrieved as  
103 a result of any allegation or issue of fact contained in the notice and finding of  
104 financial responsibility shall be afforded an opportunity for a hearing, upon the  
105 request in writing filed with the director not more than twenty days after service  
106 of the notice and finding is made upon such parent or person having custody of  
107 the child, and if in requesting such hearing, the aggrieved parent or person  
108 having custody of the child raises a factual issue requiring the submission of  
109 evidence.

110 8. At any time after the issuance of an order under this section, the  
111 director may issue an order vacating that order if it is found that the order was



112 issued without subject matter or personal jurisdiction or if the order was issued  
113 without affording the obligor due process of law.

454.490. 1. A true copy of any order entered by the director pursuant to  
2 sections 454.460 to [454.997] **454.1728**, along with a true copy of the return of  
3 service, may be filed with the clerk of the circuit court in the county in which the  
4 judgment of dissolution or paternity has been entered, or if no such judgment was  
5 entered, in the county where either the parent or the dependent child resides or  
6 where the support order was filed. Upon filing, the clerk shall enter the order in  
7 the judgment docket. Upon docketing, the order shall have all the force, effect,  
8 and attributes of a docketed order or decree of the circuit court, including, but not  
9 limited to, lien effect and enforceability by supplementary proceedings, contempt  
10 of court, execution and garnishment. Any administrative order or decision of the  
11 family support division filed in the office of the circuit clerk of the court shall not  
12 be required to be signed by an attorney, as provided by supreme court rule of civil  
13 procedures 55.03(a), or required to have any further pleading other than the  
14 director's order.

15 2. In addition to any other provision to enforce an order docketed  
16 pursuant to this section or any other support order of the court, the court may,  
17 upon petition by the division, require that an obligor who owes past due support  
18 to pay support in accordance with a plan approved by the court, or if the obligor  
19 is subject to such plan and is not incapacitated, the court may require the obligor  
20 to participate in work activities.

21 3. In addition to any other provision to enforce an order docketed  
22 pursuant to this section or any other support order of the court, division or other  
23 IV-D agency, the director may order that an obligor who owes past due support  
24 to pay support in accordance with a plan approved by the director, or if the  
25 obligor is subject to such plan and is not incapacitated, the director may order the  
26 obligor to participate in work activities. The order of the director shall be filed  
27 with a court pursuant to subsection 1 of this section and shall be enforceable as  
28 an order of the court.

29 4. As used in this section, "work activities" include:

- 30 (1) Unsubsidized employment;
- 31 (2) Subsidized private sector employment;
- 32 (3) Subsidized public sector employment;
- 33 (4) Work experience (including work associated with the refurbishing of  
34 publicly assisted housing) if sufficient private sector employment is not available;

- 35 (5) On-the-job training;
- 36 (6) Job search and readiness assistance;
- 37 (7) Community services programs;
- 38 (8) Vocational educational training, not to exceed twelve months for any  
39 individual;
- 40 (9) Job skills training directly related to employment;
- 41 (10) Education directly related to employment for an individual who has  
42 not received a high school diploma or its equivalent;
- 43 (11) Satisfactory attendance at a secondary school or course of study  
44 leading to a certificate of general equivalence for an individual who has not  
45 completed secondary school or received such a certificate; or
- 46 (12) The provision of child care services to an individual who is  
47 participating in a community service program.

48 EXPLANATION: SUBSECTION 1 OF THIS SECTION BECAME OBSOLETE  
49 WHEN THE AUTHORITY FOR THE MISSOURI TRAINING AND  
50 EMPLOYMENT COUNCIL WAS REPEALED IN 2007.

620.570. 1. [The Missouri training and employment council, as  
2 established in section 620.523, shall review and recommend criteria for  
3 evaluating project funding assistance, program criteria, and other requirements  
4 and priorities to be used by the division in the evaluation and monitoring of  
5 Missouri youth service and conservation corps projects.

6 2.] The division shall work with the department of higher education, the  
7 department of elementary and secondary education, all colleges, universities and  
8 lending institutions throughout the state to develop a system of academic credit,  
9 tuition grants and deferred loan repayment incentives for young adults who enroll  
10 and complete participation in corps programs. The division shall adopt rules  
11 under chapter 536 designed to implement any such incentive programs.

12 [3.] 2. The division of workforce development of the department of  
13 economic development shall establish and promote the recruitment of "Show-Me  
14 Employers" which shall consist of Missouri-based corporations and businesses  
15 agreeing to interview, for entry-level jobs, participants successfully completing a  
16 youth corps program.

17 [4.] 3. The division of workforce development of the department of  
18 economic development shall recognize and promote within the labor exchange  
19 system the youth service corps and the potential benefits of hiring participants  
20 who have successfully completed any of the corps' programs.

21 EXPLANATION: THE REPORT UNDER SUBSECTION 3 DUE 1-01-83.

630.717. 1. Any residential facility or day program which provides  
2 services exclusively to those persons affected by alcohol or drug abuse shall be  
3 exempt from licensure rules promulgated by the department.

4 2. Any residential facility or day program which offers services, treatment  
5 or rehabilitation to persons affected by alcohol or drug abuse shall submit to the  
6 department a description of the services, treatment or rehabilitation which it  
7 offers, a statement of whether each facility or program is required to meet any  
8 fire-safety standards of a municipality, political subdivision of the state, and  
9 documentation of compliance with such standards, if they apply.

10 3. [ The department shall survey all such facilities and programs and shall  
11 prepare a report for submission to the general assembly of actions necessary to  
12 bring such facilities and programs in compliance with fire-safety standards  
13 developed by the department for certification. The report shall be filed with the  
14 speaker of the house and the president pro tem of the senate by January 1, 1983.

15 4.] Failure of a facility or program to submit information requested by the  
16 department and required by this section shall disqualify such facility or program  
17 from receiving department certification or funding until such information is  
18 submitted.

19 EXPLANATION: THIS SECTION EXPIRED 1-01-18.

[32.088. 1. There is hereby created the "Missouri Task  
2 Force on Fair, Nondiscriminatory Local Taxation Concerning Motor  
3 Vehicles, Trailers, Boats, and Outboard Motors" to consist of the  
4 following members:

5 (1) The following six members of the general assembly:

6 (a) Three members of the house of representatives, with no  
7 more than two members from the same political party and each  
8 member to be appointed by the speaker of the house of  
9 representatives; and

10 (b) Three members of the senate, with no more than two  
11 members from the same political party and each member to be  
12 appointed by the president pro tempore of the senate;

13 (2) The director of the department of revenue or the  
14 director's designee;

15 (3) Two Missouri motor vehicle dealers, with one to be  
16 appointed by the speaker of the house of representatives and one

17 to be appointed by the president pro tempore of the senate;

18 (4) Two representatives from Missouri county governments,  
19 with one to be appointed by the speaker of the house of  
20 representatives and one to be appointed by the president pro  
21 tempore of the senate;

22 (5) Two representatives from Missouri city governments,  
23 with one to be appointed by the speaker of the house of  
24 representatives and one to be appointed by the president pro  
25 tempore of the senate; and

26 (6) One Missouri marine dealer, to be appointed by the  
27 speaker of the house of representatives.

28 2. The task force shall meet within thirty days after its  
29 creation and organize by selecting a chair and a vice chair, one of  
30 whom shall be a member of the senate and the other of whom shall  
31 be a member of the house of representatives. The chair shall  
32 designate a person to keep the records of the task force. A majority  
33 of the task force constitutes a quorum and a majority vote of a  
34 quorum is required for any action.

35 3. The task force shall meet at least quarterly. However,  
36 the task force shall meet at least monthly during each term of the  
37 general assembly. Meetings may be held by telephone or video  
38 conference at the discretion of the chair.

39 4. Members shall serve on the task force without  
40 compensation but may, subject to appropriation, be reimbursed for  
41 actual and necessary expenses incurred in the performance of their  
42 official duties as members of the task force.

43 5. The goals of the task force shall address:

44 (1) The disparity in taxation that resulted from the  
45 Missouri Supreme Court's decision in *Street v. Director of Revenue*,  
46 361 S.W.3d 355 (Mo. en banc 2012), concerning the local taxation  
47 of motor vehicles, boats, trailers, and outboard motors if purchased  
48 from a source other than a licensed Missouri dealer;

49 (2) The need for local jurisdictions to continue to receive  
50 revenue to provide vital services restored by S.B. 23, effective July  
51 5, 2013; and

52 (3) The need to avoid placing Missouri dealers of motor

53 vehicles, outboard motors, boats, and trailers at a competitive  
54 disadvantage to non-Missouri dealers of motor vehicles, outboard  
55 motors, boats, and trailers.

56 6. The task force shall:

57 (1) Review evidence regarding the methods to address the  
58 goals of the task force;

59 (2) Review the methods used by other states to address the  
60 goals of the task force;

61 (3) Review the impact of the disparity of treatment on  
62 Missouri dealers; and

63 (4) Develop legislation that will not discriminate against  
64 Missouri dealers and will safeguard local revenue to provide vital  
65 local services.

66 7. On or before December 31, 2017, the task force shall  
67 submit a report on its findings to the governor and general  
68 assembly. The report shall include any dissenting opinions in  
69 addition to any majority opinions.

70 8. The task force shall expire on January 1, 2018, or upon  
71 submission of a report under subsection 7 of this section, whichever  
72 is earlier. ]

73 EXPLANATION: THE REPORT REQUIRED UNDER THIS SECTION WAS DUE  
74 BY 12-31-18; NO OTHER DUTIES ARE LISTED.

[67.5125. By December 31, 2018, the department of revenue  
2 shall prepare and deliver a report to the general assembly on the  
3 amount of revenue collected by local governments for the previous  
4 three fiscal years from communications service providers, as such  
5 term is defined in section 67.5111; a direct-to-home satellite  
6 service, as defined in Public Law 104-104, Title VI, Section 602;  
7 and any video service provided through electronic commerce, as  
8 defined in Public Law 105-277, Title XI, as amended, Section  
9 1105(3), from video fees, linear-foot fees, antenna fees, sales and  
10 use taxes, gross receipts taxes, business license fees, business  
11 license taxes, or any other taxes or fees assessed to such providers.]

12 EXPLANATION: THE REPORT UNDER THIS SECTION WAS DUE BY 12-15-  
13 03.

[103.175. The board shall study and report to the general

2 assembly, on or before December 15, 2003, on the feasibility of  
3 including in this plan individuals who are employees of eligible  
4 agencies which have not elected to join the plan or who are retirees  
5 of school districts.]

6 EXPLANATION: THE PROVISIONS OF THIS SECTION BECAME OBSOLETE  
7 IN 1999.

[103.178. 1. Beginning on a date specified by the board of  
2 trustees of the Missouri consolidated health care plan but not later  
3 than July 1, 1995, the Missouri consolidated health care plan  
4 established under section 103.005 shall implement a pilot project  
5 to make available to those residing in the pilot project area who are  
6 covered by the plan an alternative system of benefits for the  
7 treatment of chemical dependency added to those benefits regularly  
8 available to plan participants. The benefits provided under the  
9 pilot project shall be similar in scope and comprehensiveness, but  
10 not limited to, the benefits provided for the treatment and  
11 rehabilitation of persons who are chemically dependent under the  
12 department of mental health's comprehensive substance treatment  
13 and rehabilitation program, popularly described as the C-STAR  
14 program. Such a pilot project shall operate for a period not to  
15 exceed four years. To the extent that participation in the pilot  
16 project incurs additional cost to a person covered under the plan,  
17 participation shall be voluntary. If no additional cost is incurred,  
18 the alternative system of benefits may be made in lieu of the  
19 regular benefits for the services in the pilot project area.

20 2. The Missouri state employees' retirement system or the  
21 Missouri health care plan, as appropriate, shall in cooperation with  
22 the department of mental health and the department of insurance,  
23 financial institutions and professional registration design the pilot  
24 project so as to generate data to evaluate the costs and benefits of  
25 providing coverage of chemical dependency using an alternative set  
26 of benefits as provided in this section. The Missouri consolidated  
27 health care plan shall at the completion of the pilot project submit  
28 to the governor and the members of the general assembly a report  
29 which describes the results of the evaluation of this pilot project. As  
30 authorized by appropriations made for that purpose, the Missouri

31 state employees' retirement system or the Missouri consolidated  
32 health care plan may contract with persons to conduct an  
33 independent evaluation of the pilot project established in this  
34 section.]

35 EXPLANATION: THE TAX CREDIT UNDER THIS SECTION AUTHORIZED TO  
36 BE CLAIMED FOR 8 YEARS AFTER 1998 CALENDAR YEAR, PLUS 7 YEAR  
37 CARRY FORWARD (2014).

[135.313. 1. Any person, firm or corporation who engages  
2 in the business of producing charcoal or charcoal products in the  
3 state of Missouri shall be eligible for a tax credit on income taxes  
4 otherwise due pursuant to chapter 143, except sections 143.191 to  
5 143.261, as an incentive to implement safe and efficient  
6 environmental controls. The tax credit shall be equal to fifty  
7 percent of the purchase price of the best available control  
8 technology equipment connected with the production of charcoal in  
9 the state of Missouri or, if the taxpayer manufactures such  
10 equipment, fifty percent of the manufacturing cost of the  
11 equipment, to and including the year the equipment is put into  
12 service. The credit may be claimed for a period of eight years  
13 beginning with the 1998 calendar year and is to be a tax credit  
14 against the tax otherwise due.

15 2. Any amount of credit which exceeds the tax due shall not  
16 be refunded but may be carried over to any subsequent taxable  
17 year, not to exceed seven years.

18 3. The charcoal producer may elect to assign to a third  
19 party the approved tax credit. Certification of assignment and  
20 other appropriate forms must be filed with the Missouri  
21 department of revenue and the department of economic  
22 development.

23 4. When applying for a tax credit, the charcoal producer  
24 specified in subsection 1 of this section shall make application for  
25 the credit to the division of environmental quality of the  
26 department of natural resources. The application shall identify the  
27 specific best available control technology equipment and the  
28 purchase price, or manufacturing cost of such equipment. The  
29 director of the department of natural resources is authorized to

30 require permits to construct prior to the installation of best  
31 available control technology equipment and other information  
32 which he or she deems appropriate.

33 5. The director of the department of natural resources in  
34 conjunction with the department of economic development shall  
35 certify to the department of revenue that the best available control  
36 technology equipment meets the requirements to obtain a tax credit  
37 as specified in this section.]

38 EXPLANATION: THIS SECTION SUNSET 12-31-17. NOTE: A SUNSET  
39 REVIEW REPORT ON THIS SECTION WAS VOTED ON BY THE JOINT  
40 COMMITTEE ON LEGISLATIVE RESEARCH ON 9-10-13.

[135.710. 1. As used in this section, the following terms  
2 mean:

3 (1) "Alternative fuel vehicle refueling property", property in  
4 this state owned by an eligible applicant and used for storing  
5 alternative fuels and for dispensing such alternative fuels into fuel  
6 tanks of motor vehicles owned by such eligible applicant or private  
7 citizens;

8 (2) "Alternative fuels", any motor fuel at least seventy  
9 percent of the volume of which consists of one or more of the  
10 following:

11 (a) Ethanol;

12 (b) Natural gas;

13 (c) Compressed natural gas, or CNG;

14 (d) Liquefied natural gas, or LNG;

15 (e) Liquefied petroleum gas, or LP gas, propane, or autogas;

16 (f) Any mixture of biodiesel and diesel fuel, without regard  
17 to any use of kerosene;

18 (g) Hydrogen;

19 (3) "Department", the department of economic development;

20 (4) "Electric vehicle recharging property", property in this  
21 state owned by an eligible applicant and used for recharging  
22 electric motor vehicles owned by such eligible applicant or private  
23 citizens;

24 (5) "Eligible applicant", a business entity or private citizen  
25 that is the owner of an electric vehicle recharging property or an



26 alternative fuel vehicle refueling property;

27 (6) "Qualified Missouri contractor", a contractor whose  
28 principal place of business is located in Missouri and has been  
29 located in Missouri for a period of not less than five years;

30 (7) "Qualified property", an electric vehicle recharging  
31 property or an alternative fuel vehicle refueling property which, if  
32 constructed after August 28, 2014, was constructed with at least  
33 fifty-one percent of the costs being paid to qualified Missouri  
34 contractors for the:

35 (a) Fabrication of premanufactured equipment or process  
36 piping used in the construction of such facility;

37 (b) Construction of such facility; and

38 (c) General maintenance of such facility during the time  
39 period in which such facility receives any tax credit under this  
40 section.

41 If no qualified Missouri contractor is located within seventy-five  
42 miles of the property, the requirement that fifty-one percent of the  
43 costs shall be paid to qualified Missouri contractors shall not apply.

44 2. For all tax years beginning on or after January 1, 2015,  
45 but before January 1, 2018, any eligible applicant who installs and  
46 operates a qualified property shall be allowed a credit against the  
47 tax otherwise due under chapter 143, excluding withholding tax  
48 imposed by sections 143.191 to 143.265, or due under chapter 147  
49 or chapter 148 for any tax year in which the applicant is  
50 constructing the qualified property. The credit allowed in this  
51 section per eligible applicant who is a private citizen shall not  
52 exceed fifteen hundred dollars or per eligible applicant that is a  
53 business entity shall not exceed the lesser of twenty thousand  
54 dollars or twenty percent of the total costs directly associated with  
55 the purchase and installation of any alternative fuel storage and  
56 dispensing equipment or any recharging equipment on any  
57 qualified property, which shall not include the following:

58 (1) Costs associated with the purchase of land upon which  
59 to place a qualified property;

60 (2) Costs associated with the purchase of an existing  
61 qualified property; or

62 (3) Costs for the construction or purchase of any structure.  
63 3. Tax credits allowed by this section shall be claimed by  
64 the eligible applicant at the time such applicant files a return for  
65 the tax year in which the storage and dispensing or recharging  
66 facilities were placed in service at a qualified property, and shall  
67 be applied against the income tax liability imposed by chapter 143,  
68 chapter 147, or chapter 148 after all other credits provided by law  
69 have been applied. The cumulative amount of tax credits which  
70 may be claimed by eligible applicants claiming all credits  
71 authorized in this section shall not exceed one million dollars in  
72 any calendar year, subject to appropriations.

73 4. If the amount of the tax credit exceeds the eligible  
74 applicant's tax liability, the difference shall not be refundable. Any  
75 amount of credit that an eligible applicant is prohibited by this  
76 section from claiming in a taxable year may be carried forward to  
77 any of such applicant's two subsequent taxable years. Tax credits  
78 allowed under this section may be assigned, transferred, sold, or  
79 otherwise conveyed.

80 5. Any qualified property, for which an eligible applicant  
81 receives tax credits under this section, which ceases to sell  
82 alternative fuel or recharge electric vehicles shall cause the  
83 forfeiture of such eligible applicant's tax credits provided under  
84 this section for the taxable year in which the qualified property  
85 ceased to sell alternative fuel or recharge electric vehicles and for  
86 future taxable years with no recapture of tax credits obtained by an  
87 eligible applicant with respect to such applicant's tax years which  
88 ended before the sale of alternative fuel or recharging of electric  
89 vehicles ceased.

90 6. The director of revenue shall establish the procedure by  
91 which the tax credits in this section may be claimed, and shall  
92 establish a procedure by which the cumulative amount of tax  
93 credits is apportioned equally among all eligible applicants  
94 claiming the credit. To the maximum extent possible, the director  
95 of revenue shall establish the procedure described in this  
96 subsection in such a manner as to ensure that eligible applicants  
97 can claim all the tax credits possible up to the cumulative amount

98 of tax credits available for the taxable year. No eligible applicant  
99 claiming a tax credit under this section shall be liable for any  
100 interest or penalty for filing a tax return after the date fixed for  
101 filing such return as a result of the apportionment procedure under  
102 this subsection.

103 7. Any eligible applicant desiring to claim a tax credit  
104 under this section shall submit the appropriate application for such  
105 credit with the department. The application for a tax credit under  
106 this section shall include any information required by the  
107 department. The department shall review the applications and  
108 certify to the department of revenue each eligible applicant that  
109 qualifies for the tax credit.

110 8. The department and the department of revenue may  
111 promulgate rules to implement the provisions of this section. Any  
112 rule or portion of a rule, as that term is defined in section 536.010,  
113 that is created under the authority delegated in this section shall  
114 become effective only if it complies with and is subject to all of the  
115 provisions of chapter 536 and, if applicable, section 536.028. This  
116 section and chapter 536 are nonseverable and if any of the powers  
117 vested with the general assembly pursuant to chapter 536 to  
118 review, to delay the effective date, or to disapprove and annul a  
119 rule are subsequently held unconstitutional, then the grant of  
120 rulemaking authority and any rule proposed or adopted after  
121 August 28, 2008, shall be invalid and void.

122 9. The provisions of section 23.253 of the Missouri sunset  
123 act notwithstanding:

124 (1) The provisions of the new program authorized under  
125 this section shall automatically sunset three years after December  
126 31, 2014, unless reauthorized by an act of the general assembly;  
127 and

128 (2) If such program is reauthorized, the program authorized  
129 under this section shall automatically sunset six years after the  
130 effective date of the reauthorization of this section; and

131 (3) This section shall terminate on December thirty-first of  
132 the calendar year immediately following the calendar year in which  
133 the program authorized under this section is sunset; and

134 (4) The provisions of this subsection shall not be construed  
135 to limit or in any way impair the department's ability to redeem  
136 tax credits authorized on or before the date the program authorized  
137 under this section expires or a taxpayer's ability to redeem such  
138 tax credits.]

139 EXPLANATION: THIS SECTION SUNSET 11-28-13. NOTE: A SUNSET  
140 REVIEW REPORT ON THIS SECTION WAS VOTED ON BY THE JOINT  
141 COMMITTEE ON LEGISLATIVE RESEARCH ON 4-9-13.

[135.750. 1. As used in this section, the following terms  
2 mean:

3 (1) "Highly compensated individual", any individual who  
4 receives compensation in excess of one million dollars in connection  
5 with a single qualified film production project;

6 (2) "Qualified film production project", any film, video,  
7 commercial, or television production, as approved by the  
8 department of economic development and the office of the Missouri  
9 film commission, that is under thirty minutes in length with an  
10 expected in-state expenditure budget in excess of fifty thousand  
11 dollars, or that is over thirty minutes in length with an expected  
12 in-state expenditure budget in excess of one hundred thousand  
13 dollars. Regardless of the production costs, "qualified film  
14 production project" shall not include any:

15 (a) News or current events programming;

16 (b) Talk show;

17 (c) Production produced primarily for industrial, corporate,  
18 or institutional purposes, and for internal use;

19 (d) Sports event or sports program;

20 (e) Gala presentation or awards show;

21 (f) Infomercial or any production that directly solicits funds;

22 (g) Political ad;

23 (h) Production that is considered obscene, as defined in  
24 section 573.010;

25 (3) "Qualifying expenses", the sum of the total amount  
26 spent in this state for the following by a production company in  
27 connection with a qualified film production project:

28 (a) Goods and services leased or purchased by the

29 production company. For goods with a purchase price of twenty-five  
30 thousand dollars or more, the amount included in qualifying  
31 expenses shall be the purchase price less the fair market value of  
32 the goods at the time the production is completed;

33 (b) Compensation and wages paid by the production  
34 company on which the production company remitted withholding  
35 payments to the department of revenue under chapter 143. For  
36 purposes of this section, compensation and wages shall not include  
37 any amounts paid to a highly compensated individual;

38 (4) "Tax credit", a credit against the tax otherwise due  
39 under chapter 143, excluding withholding tax imposed by sections  
40 143.191 to 143.265, or otherwise due under chapter 148;

41 (5) "Taxpayer", any individual, partnership, or corporation  
42 as described in section 143.441, 143.471, or section 148.370 that is  
43 subject to the tax imposed in chapter 143, excluding withholding  
44 tax imposed by sections 143.191 to 143.265, or the tax imposed in  
45 chapter 148 or any charitable organization which is exempt from  
46 federal income tax and whose Missouri unrelated business taxable  
47 income, if any, would be subject to the state income tax imposed  
48 under chapter 143.

49 2. For all taxable years beginning on or after January 1,  
50 1999, but ending on or before December 31, 2007, a taxpayer shall  
51 be granted a tax credit for up to fifty percent of the amount of  
52 investment in production or production-related activities in any  
53 film production project with an expected in-state expenditure  
54 budget in excess of three hundred thousand dollars. For all taxable  
55 years beginning on or after January 1, 2008, a taxpayer shall be  
56 allowed a tax credit for up to thirty-five percent of the amount of  
57 qualifying expenses in a qualified film production project. Each  
58 film production company shall be limited to one qualified film  
59 production project per year. Activities qualifying a taxpayer for the  
60 tax credit pursuant to this subsection shall be approved by the  
61 office of the Missouri film commission and the department of  
62 economic development.

63 3. Taxpayers shall apply for the film production tax credit  
64 by submitting an application to the department of economic

65 development, on a form provided by the department. As part of the  
66 application, the expected in-state expenditures of the qualified film  
67 production project shall be documented. In addition, the  
68 application shall include an economic impact statement, showing  
69 the economic impact from the activities of the film production  
70 project. Such economic impact statement shall indicate the impact  
71 on the region of the state in which the film production or  
72 production-related activities are located and on the state as a  
73 whole.

74 4. For all taxable years ending on or before December 31,  
75 2007, tax credits certified pursuant to subsection 2 of this section  
76 shall not exceed one million dollars per taxpayer per year, and  
77 shall not exceed a total for all tax credits certified of one million  
78 five hundred thousand dollars per year. For all taxable years  
79 beginning on or after January 1, 2008, tax credits certified under  
80 subsection 1 of this section shall not exceed a total for all tax  
81 credits certified of four million five hundred thousand dollars per  
82 year. Taxpayers may carry forward unused credits for up to five  
83 tax periods, provided all such credits shall be claimed within ten  
84 tax periods following the tax period in which the film production or  
85 production-related activities for which the credits are certified by  
86 the department occurred.

87 5. Notwithstanding any provision of law to the contrary,  
88 any taxpayer may sell, assign, exchange, convey or otherwise  
89 transfer tax credits allowed in subsection 2 of this section. The  
90 taxpayer acquiring the tax credits may use the acquired credits to  
91 offset the tax liabilities otherwise imposed by chapter 143,  
92 excluding withholding tax imposed by sections 143.191 to 143.265,  
93 or chapter 148. Unused acquired credits may be carried forward for  
94 up to five tax periods, provided all such credits shall be claimed  
95 within ten tax periods following the tax period in which the film  
96 production or production-related activities for which the credits are  
97 certified by the department occurred.

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

99 (1) The provisions of the new program authorized under  
100 this section shall automatically sunset six years after November 28,

101 2007, unless reauthorized by an act of the general assembly; and  
102 (2) If such program is reauthorized, the program authorized  
103 under this section shall automatically sunset twelve years after the  
104 effective date of the reauthorization of this section; and

105 (3) This section shall terminate on September first of the  
106 calendar year immediately following the calendar year in which the  
107 program authorized under this section is sunset.]

108 EXPLANATION: THIS SECTION EXPIRED 12-31-17.

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

3 (1) "NAICS", the classification provided by the most recent  
4 edition of the North American Industry Classification System as  
5 prepared by the Executive Office of the President, Office of  
6 Management and Budget;

7 (2) "Public financial incentive", any economic or financial  
8 incentive offered including:

9 (a) Any tax reduction, credit, forgiveness, abatement,  
10 subsidy, or other tax-relieving measure;

11 (b) Any tax increment financing or similar financial  
12 arrangement;

13 (c) Any monetary or nonmonetary benefit related to any  
14 bond, loan, or similar financial arrangement;

15 (d) Any reduction, credit, forgiveness, abatement, subsidy,  
16 or other relief related to any bond, loan, or similar financial  
17 arrangement; and

18 (e) The ability to form, own, direct, or receive any economic  
19 or financial benefit from any special taxation district.

20 2. No city not within a county shall by ballot measure  
21 impose any restriction on any public financial incentive authorized  
22 by statute for a business with a NAICS code of 212111.

23 3. The provisions of this section shall expire on December  
24 31, 2017.]

EXPLANATION: THIS SECTION EXPIRED 8-28-18.

[136.450. 1. There is hereby established the "Study  
2 Commission on State Tax Policy" which shall be composed of the  
3 following members:

- 4           (1) The members of the joint committee on tax policy  
5 established in section 21.810;
- 6           (2) The state treasurer;
- 7           (3) The state budget director;
- 8           (4) The director of the department of revenue, but only if  
9 such person has been appointed by the governor with the advice  
10 and consent of the senate in accordance with Article IV, Section 51  
11 of the Constitution of Missouri;
- 12           (5) Three individuals representing the needs and concerns  
13 of individual taxpayers in this state, one of whom shall be  
14 appointed by the lieutenant governor, one of whom shall be  
15 appointed by the minority floor leader of the house of  
16 representatives, and one of whom shall be appointed by the  
17 minority floor leader of the senate;
- 18           (6) A certified public accountant, who shall be appointed by  
19 the lieutenant governor in consultation with the Missouri Society  
20 of Certified Public Accountants;
- 21           (7) An independent tax practitioner, who shall be appointed  
22 by the lieutenant governor in consultation with the Missouri  
23 Society of Accountants;
- 24           (8) An individual with experience operating a business with  
25 a headquarters in this state and fewer than fifty employees, who  
26 shall be appointed by the speaker of the house of representatives;
- 27           (9) An individual with experience operating a business with  
28 a headquarters in this state and at least fifty employees, who shall  
29 be appointed by the president pro tempore of the senate;
- 30           (10) Two individuals with significant experience in state  
31 and local taxation, public or private budgeting and finance, or  
32 public services delivery, one of whom shall be appointed by the  
33 speaker of the house of representatives in consultation with the  
34 Missouri Association of Counties and the other appointed by the  
35 president pro tempore of the senate in consultation with Missouri  
36 Municipal League; and
- 37           (11) A member of the Missouri Bar with knowledge of the  
38 tax laws of this state, including tax administration and compliance,  
39 who shall be appointed by the board of governors of the Missouri



40 Bar.

41 2. Any vacancy on the commission shall be filled in the  
42 same manner as the original appointment. Any appointed member  
43 of the commission shall serve at the pleasure of the appointing  
44 authority. Commission members shall serve without compensation  
45 but shall be entitled to reimbursement for actual and necessary  
46 expenses incurred in the performance of their official duties.

47 3. The commission shall meet in the capitol building within  
48 ten days after its creation and organize by selecting a chair and  
49 vice chair from its members. After its organization, the commission  
50 shall adopt an agenda establishing at least five hearing dates. The  
51 hearings shall be held in different geographic regions of the state  
52 and open to the public. Additional meetings may be scheduled and  
53 held as often as the chair deems advisable. A majority of the  
54 members shall constitute a quorum.

55 4. It shall be the duty of the commission:

56 (1) To make a complete, detailed review and study of the  
57 tax structure of the state and its political subdivisions, including  
58 tax sources, the impact of taxes, collection procedures,  
59 administrative regulations, and all other factors pertinent to the  
60 fiscal operation of the state;

61 (2) To identify the strengths and weaknesses of state tax  
62 laws, and develop a broad range of improvements that could be  
63 made to modernize the tax system, maximize economic development  
64 and growth, and maintain necessary government services at an  
65 appropriate level;

66 (3) To investigate measures and methods to simplify state  
67 tax law, improve tax compliance, and reduce administrative costs;  
68 and

69 (4) To examine and study any other aspects of state and  
70 local government which may be related to the tax structure of the  
71 state.

72 5. In order to carry out its duties and responsibilities under  
73 this section, the commission shall have the authority to:

74 (1) Consult with public and private universities and  
75 academies, public and private organizations, and private citizens

76 in the performance of its duties;

77 (2) Within the limits of appropriations made for such  
78 purpose, employ consultants or others to assist the commission in  
79 its work, or contract with public and private entities for analysis  
80 and study of current or proposed changes to state and local tax  
81 policy; and

82 (3) Make reasonable requests for staff assistance from the  
83 research and appropriations staffs of the house of representatives  
84 and senate and the committee on legislative research, as well as  
85 the office of administration and the department of revenue.

86 6. All state agencies and political subdivisions of the state  
87 responsible for the administration of tax policies shall cooperate  
88 with and assist the commission in the performance of its duties and  
89 shall make available all books, records, and information requested,  
90 except such books, records, and information as are by law declared  
91 confidential in nature, including individually identifiable  
92 information regarding a specific taxpayer.

93 7. The commission may issue interim reports as it deems  
94 fit, but it shall provide the governor and the general assembly with  
95 reports of its findings and recommendations for legal and  
96 administrative changes, along with any proposed legislation the  
97 commission recommends for adoption by the general assembly. A  
98 preliminary report shall be due by December 31, 2016. A final  
99 report shall be due December 31, 2017.

100 8. The commission shall cease all activities by January 1,  
101 2018. This section shall expire August 28, 2018. ]

102 EXPLANATION: THIS SECTION SUNSET 12-31-14. NOTE: A SUNSET  
103 REVIEW REPORT ON THIS SECTION WAS VOTED ON BY THE JOINT  
104 COMMITTEE ON LEGISLATIVE RESEARCH ON 9-10-13.

2 [143.173. 1. As used in this section, the following terms  
mean:

3 (1) "County average wage", the average wages in each  
4 county as determined by the department of economic development  
5 for the most recently completed full calendar year. However, if the  
6 computed county average wage is above the statewide average  
7 wage, the statewide average wage shall be deemed the county

8 average wage for such county for the purpose of this section;

9 (2) "Deduction", an amount subtracted from the taxpayer's  
10 Missouri adjusted gross income to determine Missouri taxable  
11 income, or federal taxable income in the case of a corporation, for  
12 the tax year in which such deduction is claimed;

13 (3) "Full-time employee", a position in which the employee  
14 is considered full-time by the taxpayer and is required to work an  
15 average of at least thirty-five hours per week for a fifty-two week  
16 period;

17 (4) "New job", the number of full-time employees employed  
18 by the small business in Missouri on the qualifying date that  
19 exceeds the number of full-time employees employed by the small  
20 business in Missouri on the same date of the immediately  
21 preceding taxable year;

22 (5) "Qualifying date", any date during the tax year as  
23 chosen by the small business;

24 (6) "Small business", any small business, including any sole  
25 proprietorship, partnership, S-corporation, C-corporation, limited  
26 liability company, limited liability partnership, or other business  
27 entity, consisting of fewer than fifty full- or part-time employees;

28 (7) "Taxpayer", any small business subject to the income tax  
29 imposed in this chapter, including any sole proprietorship,  
30 partnership, S-corporation, C-corporation, limited liability  
31 company, limited liability partnership, or other business entity.

32 2. In addition to all deductions listed in this chapter, for all  
33 taxable years beginning on or after January 1, 2011, and ending on  
34 or before December 31, 2014, a taxpayer shall be allowed a  
35 deduction for each new job created by the small business in the  
36 taxable year. Tax deductions allowed to any partnership, limited  
37 liability company, S-corporation, or other pass-through entity may  
38 be allocated to the partners, members, or shareholders of such  
39 entity for their direct use in accordance with the provisions of any  
40 agreement among such partners, members, or shareholders. The  
41 deduction amount shall be as follows:

42 (1) Ten thousand dollars for each new job created with an  
43 annual salary of at least the county average wage; or

44                   (2) Twenty thousand dollars for each new job created with  
45                   an annual salary of at least the county average wage if the small  
46                   business offers health insurance and pays at least fifty percent of  
47                   such insurance premiums.

48                   3. The department of revenue shall establish the procedure  
49                   by which the deduction provided in this section may be claimed,  
50                   and may promulgate rules to implement the provisions of this  
51                   section. Any rule or portion of a rule, as that term is defined in  
52                   section 536.010, that is created under the authority delegated in  
53                   this section shall become effective only if it complies with and is  
54                   subject to all of the provisions of chapter 536 and, if applicable,  
55                   section 536.028. This section and chapter 536 are nonseverable  
56                   and if any of the powers vested with the general assembly under  
57                   chapter 536 to review, to delay the effective date, or to disapprove  
58                   and annul a rule are subsequently held unconstitutional, then the  
59                   grant of rulemaking authority and any rule proposed or adopted  
60                   after August 28, 2011, shall be invalid and void.

61                   4. Under section 23.253 of the Missouri sunset act:

62                   (1) The provisions of the new program authorized under  
63                   this section shall automatically sunset on December thirty-first  
64                   three years after August 28, 2011, unless reauthorized by an act of  
65                   the general assembly; and

66                   (2) If such program is reauthorized, the program authorized  
67                   under this section shall automatically sunset on December  
68                   thirty-first three years after the effective date of the  
69                   reauthorization of this section; and

70                   (3) This section shall terminate on September first of the  
71                   calendar year immediately following the calendar year in which the  
72                   program authorized under this section is sunset.]

73 EXPLANATION: THIS SECTION SUNSET 8-28-13. NOTE: A SUNSET  
74 REVIEW REPORT ON THIS SECTION WAS VOTED ON BY THE JOINT  
75 COMMITTEE ON LEGISLATIVE RESEARCH ON 4-9-13.

                  [143.1008. 1. In each taxable year beginning on or after  
2                   January 1, 2008, each individual or corporation entitled to a tax  
3                   refund in an amount sufficient to make a designation under this  
4                   section may designate that one dollar or any amount in excess of

5 one dollar on a single return, and two dollars or any amount in  
6 excess of two dollars on a combined return, of the refund due be  
7 credited to the after-school retreat reading and assessment grant  
8 program fund. The contribution designation authorized by this  
9 section shall be clearly and unambiguously printed on the first  
10 page of each income tax return form provided by this state. If any  
11 individual or corporation that is not entitled to a tax refund in an  
12 amount sufficient to make a designation under this section wishes  
13 to make a contribution to the after-school retreat reading and  
14 assessment grant program fund, such individual or corporation  
15 may, by separate check, draft, or other negotiable instrument, send  
16 in with the payment of taxes, or may send in separately, that  
17 amount, clearly designated for the after-school retreat reading and  
18 assessment grant program fund, the individual or corporation  
19 wishes to contribute. The department of revenue shall deposit such  
20 amount to the after-school retreat reading and assessment grant  
21 program fund as provided in subsection 2 of this section.

22 2. The director of revenue shall deposit at least monthly all  
23 contributions designated by individuals under this section to the  
24 state treasurer for deposit to the after-school retreat reading and  
25 assessment grant program fund. The fund shall be administered  
26 by the department of elementary and secondary education with  
27 moneys in the fund distributed as provided under section 167.680.

28 3. The director of revenue shall deposit at least monthly all  
29 contributions designated by the corporations under this section,  
30 less an amount sufficient to cover the cost of collection, handling,  
31 and administration by the department of revenue during fiscal year  
32 2008, to the after-school retreat reading and assessment grant  
33 program fund.

34 4. A contribution designated under this section shall only  
35 be deposited in the after-school retreat reading and assessment  
36 grant program fund after all other claims against the refund from  
37 which such contribution is to be made have been satisfied.

38 5. Moneys deposited in the after-school retreat reading and  
39 assessment grant program fund shall be distributed by the  
40 department of elementary and secondary education in accordance

41 with the provisions of this section and section 167.680.

42 6. The state treasurer shall invest moneys in the fund in  
43 the same manner as other funds are invested. Any interest and  
44 moneys earned on such investments shall be credited to the fund.

45 7. Pursuant to section 23.253 of the Missouri sunset act:

46 (1) The provisions of the new program authorized under  
47 this section shall automatically sunset six years after August 28,  
48 2007, unless reauthorized by an act of the general assembly; and

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

52 (3) This section shall terminate on December thirty-first of  
53 the calendar year immediately following the calendar year in which  
54 the program authorized under this section is sunset.]

55 EXPLANATION: THIS SECTION SUNSET 8-28-14. NOTE: A SUNSET  
56 REVIEW REPORT ON THIS SECTION WAS VOTED ON BY THE JOINT  
57 COMMITTEE ON LEGISLATIVE RESEARCH ON 9-10-13.

[143.1009. 1. In each taxable year beginning on or after  
2 January 1, 2008, each individual or corporation entitled to a tax  
3 refund in an amount sufficient to make a designation under this  
4 section may designate that one dollar or any amount in excess of  
5 one dollar on a single return, and two dollars or any amount in  
6 excess of two dollars on a combined return, of the refund due be  
7 credited to the breast cancer awareness trust fund, hereinafter  
8 referred to as the trust fund. If any individual or corporation that  
9 is not entitled to a tax refund in an amount sufficient to make a  
10 designation under this section wishes to make a contribution to the  
11 trust fund, such individual or corporation may, by separate check,  
12 draft, or other negotiable instrument, send in with the payment of  
13 taxes, or may send in separately, that amount, clearly designated  
14 for the breast cancer awareness trust fund, the individual or  
15 corporation wishes to contribute. The department of revenue shall  
16 deposit such amount to the trust fund as provided in subsections  
17 2 and 3 of this section. All moneys credited to the trust fund shall  
18 be considered nonstate funds under the provisions of article IV,  
19 section 15 of the Missouri Constitution.

20                   2. The director of revenue shall deposit at least monthly all  
21 contributions designated by individuals under this section to the  
22 state treasurer for deposit to the trust fund.

23                   3. The director of revenue shall deposit at least monthly all  
24 contributions designated by the corporations under this section,  
25 less an amount sufficient to cover the costs of collection and  
26 handling by the department of revenue, to the state treasury for  
27 deposit to the trust fund.

28                   4. A contribution designated under this section shall only  
29 be deposited in the trust fund after all other claims against the  
30 refund from which such contribution is to be made have been  
31 satisfied.

32                   5. All moneys transferred to the trust fund shall be  
33 distributed by the director of revenue at times the director deems  
34 appropriate to the department of health and senior services. Such  
35 funds shall be used solely for the purpose of providing breast  
36 cancer services. Notwithstanding the provisions of section 33.080  
37 to the contrary, moneys in the trust fund at the end of any  
38 biennium shall not be transferred to the credit of the general  
39 revenue fund.

40                   6. There is hereby created in the state treasury the "Breast  
41 Cancer Awareness Trust Fund", which shall consist of money  
42 collected under this section. The state treasurer shall be custodian  
43 of the fund. In accordance with sections 30.170 and 30.180, the  
44 state treasurer may approve disbursements.

45                   7. Under section 23.253 of the Missouri sunset act:

46                   (1) The provisions of the new program authorized under  
47 this section shall automatically sunset six years after August 28,  
48 2008, unless reauthorized by an act of the general assembly; and

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

52                   (3) This section shall terminate on December thirty-first of  
53 the calendar year immediately following the calendar year in which  
54 the program authorized under this section is sunset.]

55 EXPLANATION: THIS SECTION SUNSET 12-31-17. NOTE: A SUNSET

56 REVIEW REPORT ON THIS SECTION WAS SENT TO THE JOINT  
57 COMMITTEE ON LEGISLATIVE RESEARCH IN SEPTEMBER 2016.

[143.1013. 1. For all taxable years beginning on or after  
2 January 1, 2011, each individual or corporation entitled to a tax  
3 refund in an amount sufficient to make a designation under this  
4 section may designate that one dollar or any amount in excess of  
5 one dollar on a single return, and two dollars or any amount in  
6 excess of two dollars on a combined return, of the refund due be  
7 credited to the American Red Cross trust fund. If any individual  
8 or corporation that is not entitled to a tax refund in an amount  
9 sufficient to make a designation under this section wishes to make  
10 a contribution to the fund, such individual or corporation may, by  
11 separate check, draft, or other negotiable instrument, send in with  
12 the payment of taxes, or may send in separately, that amount the  
13 individual or corporation wishes to contribute. Such amounts shall  
14 be clearly designated for the fund.

15 2. There is hereby created in the state treasury the  
16 "American Red Cross Trust Fund", which shall consist of money  
17 collected under this section. The state treasurer shall be custodian  
18 of the fund. In accordance with sections 30.170 and 30.180, the  
19 state treasurer may approve disbursements. The fund shall be a  
20 dedicated fund and, upon appropriation, money in the fund shall  
21 be used solely for the administration of this  
22 section. Notwithstanding the provisions of section 33.080 to the  
23 contrary, any moneys remaining in the fund at the end of the  
24 biennium shall not revert to the credit of the general revenue  
25 fund. The state treasurer shall invest moneys in the fund in the  
26 same manner as other funds are invested. Any interest and  
27 moneys earned on such investments shall be credited to the  
28 fund. All moneys credited to the trust fund shall be considered  
29 nonstate funds under section 15, article IV, Constitution of  
30 Missouri. The treasurer shall distribute all moneys deposited in  
31 the fund at times the treasurer deems appropriate to the American  
32 Red Cross.

33 3. The director of revenue shall deposit at least monthly all  
34 contributions designated by individuals under this section to the



35 state treasurer for deposit to the fund. The director of revenue  
36 shall deposit at least monthly all contributions designated by the  
37 corporations under this section, less an amount sufficient to cover  
38 the costs of collection and handling by the department of revenue,  
39 to the state treasury for deposit to the fund. A contribution  
40 designated under this section shall only be deposited in the fund  
41 after all other claims against the refund from which such  
42 contribution is to be made have been satisfied.

43 4. Under section 23.253 of the Missouri sunset act:

44 (1) The provisions of the new program authorized under  
45 this section shall automatically sunset on December thirty-first six  
46 years after August 28, 2011, unless reauthorized by an act of the  
47 general assembly; and

48 (2) If such program is reauthorized, the program authorized  
49 under this section shall automatically sunset on December  
50 thirty-first twelve years after the effective date of the  
51 reauthorization of this section; and

52 (3) This section shall terminate on September first of the  
53 calendar year immediately following the calendar year in which the  
54 program authorized under this section is sunset.]

55 EXPLANATION: THIS SECTION SUNSET 12-31-17. NOTE: A SUNSET  
56 REVIEW REPORT ON THIS SECTION WAS SENT TO THE JOINT  
57 COMMITTEE ON LEGISLATIVE RESEARCH IN SEPTEMBER 2016.

[143.1014. 1. For all taxable years beginning on or after  
2 January 1, 2011, each individual or corporation entitled to a tax  
3 refund in an amount sufficient to make a designation under this  
4 section may designate that one dollar or any amount in excess of  
5 one dollar on a single return, and two dollars or any amount in  
6 excess of two dollars on a combined return, of the refund due be  
7 credited to the puppy protection trust fund. If any individual or  
8 corporation that is not entitled to a tax refund in an amount  
9 sufficient to make a designation under this section wishes to make  
10 a contribution to the fund, such individual or corporation may, by  
11 separate check, draft, or other negotiable instrument, send in with  
12 the payment of taxes, or may send in separately, that amount the  
13 individual or corporation wishes to contribute. Such amounts shall

14 be clearly designated for the fund.

15 2. There is hereby created in the state treasury the "Puppy  
16 Protection Trust Fund", which shall consist of money collected  
17 under this section. The state treasurer shall be custodian of the  
18 fund. In accordance with sections 30.170 and 30.180, the state  
19 treasurer may approve disbursements. The fund shall be a  
20 dedicated fund and, upon appropriation, money in the fund shall  
21 be used solely for the state department of agriculture's  
22 administration of section 273.345. Notwithstanding the provisions  
23 of section 33.080 to the contrary, any moneys remaining in the fund  
24 at the end of the biennium shall not revert to the credit of the  
25 general revenue fund. The state treasurer shall invest moneys in  
26 the fund in the same manner as other funds are invested. Any  
27 interest and moneys earned on such investments shall be credited  
28 to the fund. All moneys credited to the trust fund shall be  
29 considered nonstate funds under section 15, article IV, Constitution  
30 of Missouri. The treasurer shall distribute all moneys deposited in  
31 the fund at times the treasurer deems appropriate to the  
32 department of agriculture.

33 3. The director of revenue shall deposit at least monthly all  
34 contributions designated by individuals under this section to the  
35 state treasurer for deposit to the fund. The director of revenue  
36 shall deposit at least monthly all contributions designated by the  
37 corporations under this section, less an amount sufficient to cover  
38 the costs of collection and handling by the department of revenue,  
39 to the state treasury for deposit to the fund. A contribution  
40 designated under this section shall only be deposited in the fund  
41 after all other claims against the refund from which such  
42 contribution is to be made have been satisfied.

43 4. Under section 23.253 of the Missouri sunset act:

44 (1) The provisions of the new program authorized under  
45 this section shall automatically sunset on December thirty-first six  
46 years after August 28, 2011, unless reauthorized by an act of the  
47 general assembly; and

48 (2) If such program is reauthorized, the program authorized  
49 under this section shall automatically sunset on December

50 thirty-first twelve years after the effective date of the  
51 reauthorization of this section; and

52 (3) This section shall terminate on September first of the  
53 calendar year immediately following the calendar year in which the  
54 program authorized under this section is sunset.]

55 EXPLANATION: THIS SECTION SUNSET 12-31-17. NOTE: A SUNSET  
56 REVIEW REPORT ON THIS SECTION WAS SENT TO THE JOINT  
57 COMMITTEE ON LEGISLATIVE RESEARCH IN SEPTEMBER 2016.

[143.1017. 1. For all taxable years beginning on or after  
2 January 1, 2011, each individual or corporation entitled to a tax  
3 refund in an amount sufficient to make a designation under this  
4 section may designate that one dollar or any amount in excess of  
5 one dollar on a single return, and two dollars or any amount in  
6 excess of two dollars on a combined return, of the refund due be  
7 credited to the developmental disabilities waiting list equity trust  
8 fund. If any individual or corporation that is not entitled to a tax  
9 refund in an amount sufficient to make a designation under this  
10 section wishes to make a contribution to the fund, such individual  
11 or corporation may, by separate check, draft, or other negotiable  
12 instrument, send in with the payment of taxes, or may send in  
13 separately, that amount the individual or corporation wishes to  
14 contribute. Such amounts shall be clearly designated for the fund.

15 2. There is hereby created in the state treasury the  
16 "Developmental Disabilities Waiting List Equity Trust Fund",  
17 which shall consist of money collected under this section. The state  
18 treasurer shall be custodian of the fund. In accordance with  
19 sections 30.170 and 30.180, the state treasurer may approve  
20 disbursements. The fund shall be a dedicated fund and, upon  
21 appropriation, money in the fund shall be used solely for the  
22 administration of this section and for providing community services  
23 and support to people with developmental disabilities and such  
24 person's families who are on the developmental disabilities waiting  
25 list and are eligible for but not receiving services. Notwithstanding  
26 the provisions of section 33.080 to the contrary, any moneys  
27 remaining in the fund at the end of the biennium shall not revert  
28 to the credit of the general revenue fund. The state treasurer shall

29 invest moneys in the fund in the same manner as other funds are  
30 invested. Any interest and moneys earned on such investments  
31 shall be credited to the fund. All moneys credited to the trust fund  
32 shall be considered nonstate funds under section 15, article IV,  
33 Constitution of Missouri. The treasurer shall distribute all moneys  
34 deposited in the fund at times the treasurer deems appropriate to  
35 the department of mental health. The moneys in the  
36 developmental disabilities waiting list equity trust fund established  
37 in this subsection shall not be appropriated in lieu of general state  
38 revenues.

39 3. The director of revenue shall deposit at least monthly all  
40 contributions designated by individuals under this section to the  
41 state treasurer for deposit to the fund. The director of revenue  
42 shall deposit at least monthly all contributions designated by the  
43 corporations under this section, less an amount sufficient to cover  
44 the costs of collection and handling by the department of revenue,  
45 to the state treasury for deposit to the fund. A contribution  
46 designated under this section shall only be deposited in the fund  
47 after all other claims against the refund from which such  
48 contribution is to be made have been satisfied.

49 4. Under section 23.253 of the Missouri sunset act:

50 (1) The provisions of the new program authorized under  
51 this section shall automatically sunset on December thirty-first six  
52 years after August 28, 2011, unless reauthorized by an act of the  
53 general assembly; and

54 (2) If such program is reauthorized, the program authorized  
55 under this section shall automatically sunset on December  
56 thirty-first twelve years after the effective date of the  
57 reauthorization of this section; and

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

61 EXPLANATION: THIS SECTION EXPIRED 7-01-16.

[163.024. All moneys received in the Iron County school  
2 fund, Reynolds County school fund, Jefferson County school fund,  
3 and Washington County school fund from the payment of a civil

4 penalty pursuant to a consent decree filed in the United States  
5 district court for the eastern district of Missouri in December, 2011,  
6 in the case of United States of America and State of Missouri v. the  
7 Doe Run Resources Corporation d/b/a "The Doe Run Company," and  
8 the Buick Resource Recycling Facility, LLC, because of  
9 environmental violations shall not be included in any district's  
10 local effort figure, as such term is defined in section 163.011. The  
11 provisions of this section shall terminate on July 1, 2016.]

12 EXPLANATION: THIS SECTION BECAME OBSOLETE WHEN SUBSECTION  
13 3 OF SECTION 171.033 WAS REPEALED IN 2014.

[171.034. Any school district that is eligible to reduce its  
2 requirement to make up days pursuant to subsection 3 of section  
3 171.033 may provide food service on a summer school food service  
4 basis if it resumes school with double sessions.]

5 EXPLANATION: THIS SECTION TERMINATED 6-30-17.

[172.287. 1. The University of Missouri shall annually  
2 request an appropriation under capital improvements, subject to  
3 availability of funds, for a program of grants established for the  
4 engineering colleges of the University of Missouri for the purpose  
5 of assisting such colleges in the purchase of teaching and research  
6 laboratory equipment exclusive of laboratory or classroom  
7 furniture. The amount granted for each engineering college may  
8 not exceed the lesser of an amount equal to one thousand two  
9 hundred dollars per each such bachelor's degree awarded in the  
10 previous fiscal year in all engineering programs currently  
11 accredited by the accreditation board for engineering and  
12 technology, or the dollar value of new funds for equipment  
13 purchase which such colleges may obtain from sources other than  
14 state appropriations for laboratory equipment.

15 2. For purposes of this section, the fair market value of  
16 in-kind contributions of laboratory equipment to the colleges may  
17 be included as funds for equipment purchase from sources other  
18 than state appropriations. In the event that new funds for  
19 laboratory equipment purchase obtained by any college of  
20 engineering from such nonstate sources exceed the amount  
21 necessary to reach the maximum dollar limits herein specified,

22 such excess amounts will be carried over to the following fiscal year  
23 and considered the same as that year's new equipment funds from  
24 nonstate sources.

25 3. In the event that the appropriations for this grant  
26 program are insufficient to fund all grants approved for a given  
27 fiscal year, all such grants shall be reduced pro rata as necessary.

28 4. The provisions of this section shall terminate on June 30,  
29 2017. ]

30 EXPLANATION: THIS SECTION EXPIRED 12-31-15.

[173.236. 1. As used in this section, unless the context  
2 clearly requires otherwise, the following terms mean:

3 (1) "Board", the coordinating board for higher education;

4 (2) "Grant", the Vietnam veteran's survivors grant as  
5 established in this section;

6 (3) "Institution of postsecondary education", any approved  
7 public or private institution as defined in section 173.205;

8 (4) "Survivor", a child or spouse of a Vietnam veteran as  
9 defined in this section;

10 (5) "Tuition", any tuition or incidental fee or both charged  
11 by an institution of postsecondary education, as defined in this  
12 section, for attendance at the institution by a student as a resident  
13 of this state;

14 (6) "Vietnam veteran", a person who served in the military  
15 in Vietnam or the war zone in Southeast Asia and to whom the  
16 following criteria shall apply:

17 (a) The veteran was a Missouri resident when first entering  
18 the military service and at the time of death;

19 (b) The veteran's death was attributable to illness that  
20 could possibly be a result of exposure to toxic chemicals during the  
21 Vietnam Conflict; and

22 (c) The veteran served in the Vietnam theater between 1961  
23 and 1972.

24 2. Within the limits of the amounts appropriated therefor,  
25 the coordinating board for higher education shall award annually  
26 up to twelve grants to survivors of Vietnam veterans to attend  
27 institutions of postsecondary education in this state. If the waiting

28 list of eligible survivors exceeds fifty, the coordinating board may  
29 petition the general assembly to expand the quota. If the quota is  
30 not expanded the eligibility of survivors on the waiting list shall be  
31 extended.

32 3. A survivor may receive a grant pursuant to this section  
33 only so long as the survivor is enrolled in a program leading to a  
34 certificate, or an associate or baccalaureate degree. In no event  
35 shall a survivor receive a grant beyond the completion of the first  
36 baccalaureate degree, regardless of age. No survivor shall receive  
37 more than one hundred percent of tuition when combined with  
38 similar funds made available to such survivor.

39 4. The coordinating board for higher education shall:

40 (1) Promulgate all necessary rules and regulations for the  
41 implementation of this section;

42 (2) Determine minimum standards of performance in order  
43 for a survivor to remain eligible to receive a grant under this  
44 program;

45 (3) Make available on behalf of a survivor an amount  
46 toward the survivor's tuition which is equal to the grant to which  
47 the survivor is entitled under the provisions of this section;

48 (4) Provide the forms and determine the procedures  
49 necessary for a survivor to apply for and receive a grant under this  
50 program.

51 5. In order to be eligible to receive a grant pursuant to this  
52 section, a survivor shall be certified as eligible by a Missouri state  
53 veterans service officer. Such certification shall be made upon  
54 qualified medical certification by a Veterans Administration  
55 medical authority that exposure to toxic chemicals contributed to  
56 or was the cause of death of the veteran, as defined in subsection  
57 1 of this section.

58 6. A survivor who is enrolled or has been accepted for  
59 enrollment as an undergraduate postsecondary student at an  
60 approved institution of postsecondary education shall receive a  
61 grant in an amount not to exceed the least of the following:

62 (1) The actual tuition, as defined in this section, charged at  
63 an approved institution where the child is enrolled or accepted for

64 enrollment; or

65 (2) The average amount of tuition charged a Missouri  
66 resident at the institutions identified in section 174.020 for  
67 attendance as a full-time student, as defined in section 173.205.

68 7. A survivor who is a recipient of a grant may transfer  
69 from one approved public or private institution of postsecondary  
70 education to another without losing his entitlement under this  
71 section. The board shall make necessary adjustments in the  
72 amount of the grant. If a grant recipient at any time withdraws  
73 from the institution of postsecondary education so that under the  
74 rules and regulations of that institution he is entitled to a refund  
75 of any tuition, fees, or other charges, the institution shall pay the  
76 portion of the refund to which he is entitled attributable to the  
77 grant for that semester or similar grading period to the board.

78 8. If a survivor is granted financial assistance under any  
79 other student aid program, public or private, the full amount of  
80 such aid shall be reported to the board by the institution and the  
81 eligible survivor.

82 9. Nothing in this section shall be construed as a promise  
83 or guarantee that a person will be admitted to an institution of  
84 postsecondary education or to a particular institution of  
85 postsecondary education, will be allowed to continue to attend an  
86 institution of postsecondary education after having been admitted,  
87 or will be graduated from an institution of postsecondary  
88 education.

89 10. The benefits conferred by this section shall be available  
90 to any academically qualified surviving children and spouses of  
91 Vietnam veterans as defined in subsection 1 of this section,  
92 regardless of the survivor's age, until December 31, 1995. After  
93 December 31, 1995, the benefits conferred by this section shall not  
94 be available to such persons who are twenty-five years of age or  
95 older, except spouses will remain eligible until the fifth  
96 anniversary after the death of the veteran.

97 11. This section shall expire on December 31, 2015.]

98 EXPLANATION: THE STUDY UNDER THIS SECTION WAS DUE TO BE  
99 COMPLETED BY 1-31-15.



1 [173.680. 1. The department of higher education shall  
2 conduct a study to identify the information technology industry  
3 certifications most frequently requested by employers in  
4 Missouri. The department of higher education may conduct the  
5 study with the assistance of other state departments and agencies,  
6 the Missouri mathematics and science coalition, and the governor's  
7 advisory council on science, technology, engineering, and  
8 mathematical issues.

9 2. The department of higher education shall complete the  
10 study no later than January 31, 2015. The department shall  
11 prepare the findings in a report and provide it to:

- 12 (1) The president pro tempore of the senate;
- 13 (2) The speaker of the house of representatives;
- 14 (3) The joint committee on education;
- 15 (4) The governor;
- 16 (5) The coordinating board for higher education; and
- 17 (6) The state board of education.]

18 EXPLANATION: THIS SECTION BECAME OBSOLETE WHEN ALL OF THE  
19 PROVISIONS OF CHAPTER 296 WERE REPEALED IN 1986.

[184.384. The district and subdistricts and the officers and  
2 employees thereof shall be subject to the provisions of chapter 296  
3 or any amendment thereto hereafter enacted.]

4 EXPLANATION: STUDY REQUIRED TO BE COMPLETED BY DECEMBER 31,  
5 2017.

[190.450. By December 31, 2017, the department of public  
2 safety shall complete a study of the number of public safety  
3 answering points necessary to provide the best possible 911  
4 technology and service to all areas of the state in the most efficient  
5 and economical manner possible, issue a state public safety  
6 answering point consolidation plan based on the study, and provide  
7 such plan to the Missouri 911 service board.]

8 EXPLANATION: THIS SECTION SUNSET 8-28-15. NOTE: A SUNSET  
9 REVIEW REPORT ON THIS SECTION WAS SENT TO THE JOINT  
10 COMMITTEE ON LEGISLATIVE RESEARCH IN SEPTEMBER 2014.

[191.425. 1. Upon receipt of federal funding in accordance  
2 with subsection 4 of this section, there is hereby established within

3 the department of health and senior services the "Women's Heart  
4 Health Program" to provide heart disease risk screening to  
5 uninsured and underinsured women.

6 2. The following women shall be eligible for program  
7 services:

8 (1) Women between the ages of thirty-five and sixty-four  
9 years;

10 (2) Women who are receiving breast and cervical cancer  
11 screenings under the Missouri show me healthy women program;

12 (3) Women who are uninsured or whose insurance does not  
13 provide coverage for heart disease risk screenings; and

14 (4) Women with a gross family income at or below two  
15 hundred percent of the federal poverty level.

16 3. The department shall contract with health care providers  
17 who are currently providing services under the Missouri show me  
18 healthy women program to provide screening services under the  
19 women's heart health program. Screening shall include but not be  
20 limited to height, weight, and body mass index (BMI), blood  
21 pressure, total cholesterol, HDL, and blood glucose. Any woman  
22 whose screening indicates an increased risk for heart disease shall  
23 be referred for appropriate follow-up health care services and be  
24 offered lifestyle education services to reduce her risk for heart  
25 disease.

26 4. The women's heart health program shall be subject to  
27 receipt of federal funding which designates such funding for heart  
28 disease risk screening to uninsured and underinsured women. In  
29 the event that federal funds are not available for such program, the  
30 department shall not be required to establish or implement the  
31 program.

32 5. Under section 23.253 of the Missouri sunset act:

33 (1) The provisions of the program authorized under this  
34 section shall automatically sunset three years after August 28,  
35 2012, unless reauthorized by an act of the general assembly; and

36 (2) If such program is reauthorized, the program authorized  
37 under this section shall automatically sunset three years after the  
38 effective date of the reauthorization of this section; and

39                   (3) This section shall terminate on September first of the  
40                   calendar year immediately following the calendar year in which the  
41                   program authorized under this section is sunset.]

42 EXPLANATION: THIS SECTION BECAME OBSOLETE WHEN THE  
43 PERINATAL SUBSTANCE ABUSE PROGRAM WAS TERMINATED IN 2005.

                  [191.743. 1. Any physician or health care provider who  
2                   provides services to pregnant women shall identify all such women  
3                   who are high risk pregnancies by use of protocols developed by the  
4                   department of health and senior services pursuant to section  
                  191.741. The physician or health care provider shall upon  
2                   identification inform such woman of the availability of services and  
3                   the option of referral to the department of health and senior  
4                   services.

5                   2. Upon consent by the woman identified as having a high  
6                   risk pregnancy, the physician or health care provider shall make  
7                   a report, within seventy-two hours, to the department of health and  
8                   senior services on forms approved by the department of health and  
9                   senior services.

10                  3. Any physician or health care provider complying with the  
11                  provisions of this section, in good faith, shall have immunity from  
12                  any civil liability that might otherwise result by reason of such  
13                  actions.

14                  4. Referral and associated documentation provided for in  
15                  this section shall be confidential and shall not be used in any  
16                  criminal prosecution.

17                  5. The consent required by subsection 2 of this section shall  
18                  be deemed a waiver of the physician-patient privilege solely for the  
19                  purpose of making the report pursuant to subsection 2 of this  
20                  section.]

21 EXPLANATION: THIS SECTION SUNSET 8-28-17 (REPORT IS DUE 3 YEARS  
22 FROM THE DATE OF GRANTS UNDER SUBSECTION 6). NOTE: A SUNSET  
23 REVIEW REPORT ON THIS SECTION WAS SENT TO THE JOINT  
24 COMMITTEE ON LEGISLATIVE RESEARCH IN SEPTEMBER 2016.

                  [191.950. 1. As used in this section, the following terms  
2                   mean:

3                   (1) "Department", the department of health and senior

4 services;

5 (2) "Economically challenged men", men who have a gross  
6 income up to one hundred fifty percent of the federal poverty level;

7 (3) "Program", the prostate cancer pilot program established  
8 in this section;

9 (4) "Rural area", a rural area which is in either any county  
10 of the third classification without a township form of government  
11 and with more than twenty thousand but fewer than twenty  
12 thousand one hundred inhabitants, any county of the second  
13 classification with more than nineteen thousand seven hundred but  
14 fewer than nineteen thousand eight hundred inhabitants, or any  
15 county of the third classification with a township form of  
16 government and with more than thirty-three thousand one hundred  
17 but fewer than thirty-three thousand two hundred inhabitants;

18 (5) "Uninsured men", men for whom services provided by  
19 the program are not covered by private insurance, MO HealthNet  
20 or Medicare;

21 (6) "Urban area", an urban area which is located in a city  
22 not within a county.

23 2. Subject to securing a cooperative agreement with a  
24 nonprofit entity for funding of the program, there is hereby  
25 established within the department of health and senior services  
26 two "Prostate Cancer Pilot Programs" to fund prostate cancer  
27 screening and treatment services and to provide education to men  
28 residing in this state. One prostate cancer pilot program shall be  
29 located in an urban area and one prostate cancer pilot program  
30 shall be located in a rural area. The department may directly  
31 contract with the Missouri Foundation for Health, or a successor  
32 entity, in the delivery of the pilot program. For purposes of this  
33 section, the contracting process of the department with these  
34 entities need not be governed by the provisions of chapter 34.

35 3. The program shall be open to:

36 (1) Uninsured men or economically challenged men who are  
37 at least fifty years old; and

38 (2) On the advice of a physician or at the request of the  
39 individual, uninsured men or economically challenged men who are

40 at least thirty-five years of age but less than fifty years of age and  
41 who are at high risk for prostate cancer.

42 4. The program shall provide:

43 (1) Prostate cancer screening;

44 (2) Referral services, including services necessary for  
45 diagnosis;

46 (3) Treatment services for individuals who are diagnosed  
47 with prostate cancer after being screened; and

48 (4) Outreach and education activities to ensure awareness  
49 and utilization of program services by uninsured men and  
50 economically challenged men.

51 5. Upon appropriation, the department shall distribute  
52 grants to administer the program to:

53 (1) Local health departments; and

54 (2) Federally qualified health centers.

55 6. Three years from the date on which the grants were first  
56 administered under this section, the department shall report to the  
57 governor and general assembly:

58 (1) The number of individuals screened and treated under  
59 the program, including racial and ethnic data on the individuals  
60 who were screened and treated; and

61 (2) To the extent possible, any cost savings achieved by the  
62 program as a result of early detection of prostate cancer.

63 7. The department shall promulgate rules to establish  
64 guidelines regarding eligibility for the program and to implement  
65 the provisions of this section. Any rule or portion of a rule, as that  
66 term is defined in section 536.010, that is created under the  
67 authority delegated in this section shall become effective only if it  
68 complies with and is subject to all of the provisions of chapter 536  
69 and, if applicable, section 536.028. This section and chapter 536  
70 are nonseverable and if any of the powers vested with the general  
71 assembly pursuant to chapter 536 to review, to delay the effective  
72 date, or to disapprove and annul a rule are subsequently held  
73 unconstitutional, then the grant of rulemaking authority and any  
74 rule proposed or adopted after August 28, 2011, shall be invalid  
75 and void.

76                   8. Under and pursuant to section 23.253 of the Missouri  
77 sunset act:

78                   (1) The provisions of the new program authorized under  
79 this section shall automatically sunset six years after August 28,  
80 2011, unless reauthorized by an act of the general assembly; and

81                   (2) If such program is reauthorized, the program authorized  
82 under this section shall automatically sunset six years after the  
83 effective date of the reauthorization of this section; and

84                   (3) This section shall terminate on September first of the  
85 calendar year immediately following the calendar year in which the  
86 program authorized under this section is sunset.]

87 EXPLANATION: THIS SECTION EXPIRED 1-01-17.

                  [192.926. 1. By September 1, 2015, the department of  
2 social services in cooperation with the department of health and  
3 senior services and the department of mental health shall establish  
4 a committee to assess the continuation of the money follows the  
5 person demonstration program in order to support Missourians who  
6 have disabilities and those who are aging to transition from  
7 nursing facilities or habilitation centers to quality community  
8 settings. The committee shall study sustainability of the program  
9 beyond the current demonstration time frame for all transitions to  
10 occur by September 30, 2018. The committee shall be administered  
11 and its members, with the exception of the members from the house  
12 of representatives and the senate, chosen by the director of the  
13 department of social services.

14                   2. The committee shall:

15                   (1) Review the extent to which the demonstration program  
16 has achieved its purposes;

17                   (2) Assess any possible improvements to the program;

18                   (3) Investigate program elements and costs to sustain the  
19 program beyond its current demonstration period;

20                   (4) Explore cost savings achieved through the  
21 demonstration program;

22                   (5) Investigate the possibility and need to apply for a  
23 waiver from the Centers for Medicare and Medicaid Services.

24                   3. The committee shall include fiscal staff from the

25 department of social services, the department of health and senior  
26 services, the department of mental health, and the office of  
27 administration's division of budget and planning. The committee  
28 shall also be comprised of a representative from each of the  
29 following:

30 (1) The division of senior and disability services within the  
31 department of health and senior services;

32 (2) The MO HealthNet division within the department of  
33 social services;

34 (3) The division of developmental disabilities within the  
35 department of mental health;

36 (4) Centers for independent living and area agencies on  
37 aging currently serving as money follows the person local contact  
38 agencies;

39 (5) The Missouri assistive technology council;

40 (6) The Missouri developmental disabilities council;

41 (7) The skilled nursing community predominately serving  
42 MO HealthNet participants;

43 (8) The Missouri house of representatives, appointed by the  
44 speaker of the house of representatives; and

45 (9) The Missouri senate, appointed by the president pro  
46 tempore of the senate.

47 4. The committee may also include other members or work  
48 groups deemed necessary to accomplish its purposes, including but  
49 not limited to representatives from state agencies, local advisory  
50 groups and community members, and members of the general  
51 assembly with valuable input regarding the activities of the money  
52 follows the person demonstration program.

53 5. The department of social services in cooperation with the  
54 department of health and senior services and the department of  
55 mental health shall make recommendations based on the findings  
56 of the committee and report them to the general assembly and the  
57 governor by July 1, 2016.

58 6. The provisions of this section shall expire on January 1,  
59 2017.]

60 EXPLANATION: THIS SECTION TERMINATED 3-27-97 (THE REVISOR OF

61 STATUTES RECEIVED NOTICE OF THE TRANSFER ON FEBRUARY 25,  
62 1997. TERMINATION DATE WAS THIRTY DAYS FOLLOWING THE DATE OF  
63 NOTICE.).

[199.020. 1. The following officers and their families shall,  
2 with the permission of the department of health and senior  
3 services, reside on the premises or other property of the center:  
4 center director, assistant director, physicians, and other personnel  
5 required for the center's operation as recommended by the center's  
6 director. Personnel residing at the center shall pay a monthly  
7 rental determined annually at the lower of cost or fair market  
8 value; except that the center director, with the approval of the  
9 director of the department of health and senior services, may  
10 establish a lower rate as required to fill the center's personnel  
11 needs.

12 2. This section shall terminate thirty days following the  
13 date notice is provided to the revisor of statutes that an agreement  
14 has been executed which transfers the Missouri rehabilitation  
15 center from the department of health and senior services to the  
16 board of curators of the University of Missouri.]

17 EXPLANATION: THIS SECTION SUNSET 8-28-17. NOTE: SUNSET REVIEW  
18 REPORT ON THIS SECTION WAS SENT TO THE JOINT COMMITTEE ON  
19 LEGISLATIVE RESEARCH IN SEPTEMBER 2016.

[208.053. 1. The provisions of this section shall be known  
2 as the "Low-Wage Trap Elimination Act". In order to more  
3 effectively transition persons receiving state-funded child care  
4 subsidy benefits under this chapter, the children's division, in  
5 conjunction with the department of revenue, shall, subject to  
6 appropriations, by January 1, 2013, implement a pilot program in  
7 at least one rural county and in at least one urban child care  
8 center that serves at least three hundred families, to be called the  
9 "Hand-Up Program", to allow willing recipients who wish to  
10 participate in the program to continue to receive such child care  
11 subsidy benefits while sharing in the cost of such benefits through  
12 the payment of a premium, as follows:

13 (1) For purposes of this section, "full child care benefits"  
14 shall be the full benefits awarded to a recipient based on the



15 income eligibility amount established by the division through the  
16 annual appropriations process as of August 28, 2012, to qualify for  
17 the benefits and shall not include the transitional child care  
18 benefits that are awarded to recipients whose income surpasses the  
19 eligibility level for full benefits to continue. The hand-up program  
20 shall be voluntary and shall be designed such that a participating  
21 recipient will not be faced with a sudden loss of child care benefits  
22 should the recipient's income rise above the maximum allowable  
23 monthly income for persons to receive full child care benefits as of  
24 August 28, 2012. In such instance, the recipient shall be permitted  
25 to continue to receive such benefits if the recipient pays a  
26 premium, to be paid via a payroll deduction if possible, to be  
27 applied only to that portion of the recipient's income above such  
28 maximum allowable monthly income for the receipt of full child  
29 care benefits as follows:

30 (a) The premium shall be forty-four percent of the  
31 recipient's excess adjusted gross income over the maximum  
32 allowable monthly income for the applicable family size for the  
33 receipt of child care benefits;

34 (b) The premium shall be paid on a monthly basis by the  
35 participating recipient, or may be paid on a different periodic basis  
36 if through a payroll deduction consistent with the payroll period of  
37 the person's employer;

38 (c) The division shall develop a payroll deduction program  
39 in conjunction with the department of revenue, and shall  
40 promulgate rules for the payment of premiums, through such  
41 payroll deduction program or through an alternate method to be  
42 determined by the division, owed under the hand-up program; and

43 (d) Participating recipients who fail to pay the premium  
44 owed shall be removed permanently from the program after sixty  
45 days of nonpayment;

46 (2) Subject to the receipt of federal waivers if necessary,  
47 participating recipients shall be eligible to receive child care  
48 service benefits at income levels all the way up to the level at  
49 which a person's premium equals the value of the child care service  
50 benefits received by the recipient;

51 (3) Only those recipients who currently receive full child  
52 care benefits as of joining the program and who had been receiving  
53 full child care service benefits for a period of at least four months  
54 prior to implementation by the division of this program shall be  
55 eligible to participate in the program. Only those recipients who  
56 agree to the terms of the hand-up program during a ninety-day  
57 sign-up period shall be allowed to participate in the program,  
58 pursuant to rules to be promulgated by the division; and

59 (4) A participating recipient shall be allowed to opt out of  
60 the program at any time, but such person shall not be allowed to  
61 participate in the program a second time.

62 2. The division shall track the number of participants in the  
63 hand-up program, premiums and taxes paid by each participant in  
64 the program and the aggregate of such premiums and taxes, as well  
65 as the aggregate of those taxes paid on income exceeding the  
66 maximum allowable income for receiving full child care benefits  
67 outside the hand-up program, and shall issue an annual report to  
68 the general assembly by January 1, 2014, and annually on January  
69 first thereafter, detailing the effectiveness of the pilot program in  
70 encouraging recipients to increase their income levels above the  
71 income maximum applicable to each recipient. The report shall  
72 also detail the costs of administration and the increased amount of  
73 state income tax paid and premiums paid as a result of the  
74 program, as well as an analysis of whether the pilot program could  
75 be expanded to include other types of benefits including but not  
76 limited to food stamps, temporary assistance for needy families,  
77 low-income heating assistance, women, infants and children  
78 supplemental nutrition program, the state children's health  
79 insurance program, and MO HealthNet benefits.

80 3. The division shall pursue all necessary waivers from the  
81 federal government to implement the hand-up program with the  
82 goal of allowing participating recipients to receive child care service  
83 benefits at income levels all the way up to the level at which a  
84 person's premium equals the value of the child care service benefits  
85 received by the recipient. If the division is unable to obtain such  
86 waivers, the division shall implement the program to the degree

87 possible without such waivers.

88 4. (1) There is hereby created in the state treasury the  
89 "Hand-Up Program Premium Fund" which shall consist of  
90 premiums collected under this section. The state treasurer shall  
91 be custodian of the fund. In accordance with sections 30.170 and  
92 30.180, the state treasurer may approve disbursements. The state  
93 treasurer shall invest moneys in the fund in the same manner as  
94 other funds are invested. Any interest and moneys earned on such  
95 investments shall be credited to the fund. Notwithstanding the  
96 provisions of section 33.080 to the contrary, any moneys remaining  
97 in the fund at the end of the biennium shall not revert to the credit  
98 of the general revenue fund.

99 (2) All premiums received under the program shall be  
100 deposited in the fund, out of which the cost of administering the  
101 hand-up program shall be paid, as well as the necessary payments  
102 to the federal government and to the state general revenue  
103 fund. Child care benefits provided under the hand-up program  
104 shall continue to be paid for as under the existing state child care  
105 assistance program.

106 5. After the first year of the program, or sooner if feasible,  
107 the cost of administering the program shall be paid out of the  
108 premiums received. Any premiums collected exceeding the cost of  
109 administering the program shall, if required by federal law, be  
110 shared with the federal government and the state general revenue  
111 fund in the same proportion that the federal government shares in  
112 the cost of funding the child care assistance program with the  
113 state.

114 6. Any rule or portion of a rule, as that term is defined in  
115 section 536.010, that is created under the authority delegated  
116 under this section shall become effective only if it complies with  
117 and is subject to all of the provisions of chapter 536 and, if  
118 applicable, section 536.028. This section and chapter 536 are  
119 nonseverable and if any of the powers vested with the general  
120 assembly pursuant to chapter 536 to review, to delay the effective  
121 date, or to disapprove and annul a rule are subsequently held  
122 unconstitutional, then the grant of rulemaking authority and any

123 rule proposed or adopted after August 28, 2012, shall be invalid  
124 and void.

125 7. Pursuant to section 23.253 of the Missouri sunset act:

126 (1) The provisions of the new program authorized under  
127 this section shall sunset automatically three years after August 28,  
128 2014, unless reauthorized by an act of the general assembly; and

129 (2) If such program is reauthorized, the program authorized  
130 under this section shall sunset automatically six years after the  
131 effective date of the reauthorization of this section; and

132 (3) This section shall terminate on September first of the  
133 calendar year immediately following the calendar year in which the  
134 program authorized under this section is sunset.]

135 EXPLANATION: THIS SECTION EXPIRED 07-01-89.

2 [208.169. 1. Notwithstanding other provisions of this  
3 chapter, including but not limited to sections 208.152, 208.153,  
4 208.159 and 208.162:

5 (1) There shall be no revisions to a facility's reimbursement  
6 rate for providing nursing care services under this chapter upon a  
7 change in ownership, management control, operation, stock,  
8 leasehold interests by whatever form for any facility previously  
9 licensed or certified for participation in the Medicaid  
10 program. Increased costs for the successor owner, management or  
11 leaseholder that result from such a change shall not be recognized  
12 for purposes of reimbursement;

13 (2) In the case of a newly built facility or part thereof which  
14 is less than two years of age and enters the Title XIX program  
15 under this chapter after July 1, 1983, a reimbursement rate shall  
16 be assigned based on the lesser of projected estimated operating  
17 costs or one hundred ten percent of the median rate for the  
18 facility's class to include urban and rural categories for each level  
19 of care including ICF only and SNF/ICF. The rates set under this  
20 provision shall be effective for a period of twelve months from the  
21 effective date of the provider agreement at which time the rate for  
22 the future year shall be set in accordance with reported costs of the  
23 facility recognized under the reimbursement plan and as provided  
in subdivisions (3) and (4) of this subsection. Rates set under this

24 section may in no case exceed the maximum ceiling amounts in  
25 effect under the reimbursement regulation;

26 (3) Reimbursement for capital related expenses for newly  
27 built facilities entering the Title XIX program after March 18,  
28 1983, shall be calculated as the building and building equipment  
29 rate, movable equipment rate, land rate, and working capital rate.

30 (a) The building and building equipment rate will be the  
31 lower of:

32 a. Actual acquisition costs, which is the original cost to  
33 construct or acquire the building, not to exceed the costs as  
34 determined in section 197.357; or

35 b. Reasonable construction or acquisition cost computed by  
36 applying the regional Dodge Construction Index for 1981 with a  
37 trend factor, if necessary, or another current construction cost  
38 measure multiplied by one hundred eight percent as an allowance  
39 for fees authorized as architectural or legal not included in the  
40 Dodge Index Value, multiplied by the square footage of the facility  
41 not to exceed three hundred twenty-five square feet per bed,  
42 multiplied by the ratio of forty minus the actual years of the age of  
43 the facility divided by forty; and multiplied by a return rate of  
44 twelve percent; and divided by ninety-three percent of the facility's  
45 total available beds times three hundred sixty-five days.

46 (b) The maximum movable equipment rate will be  
47 fifty-three cents per bed day.

48 (c) The maximum allowable land area is defined as five  
49 acres for a facility with one hundred or less beds and one  
50 additional acre for each additional one hundred beds or fraction  
51 thereof for a facility with one hundred one or more beds.

52 (d) The land rate will be calculated as:

53 a. For facilities with land areas at or below the maximum  
54 allowable land area, multiply the acquisition cost of the land by the  
55 return rate of twelve percent, divide by ninety-three percent of the  
56 facility's total available beds times three hundred sixty-five days.

57 b. For facilities with land areas greater than the maximum  
58 allowable land area, divide the acquisition cost of the land by the  
59 total acres, multiply by the maximum allowable land area, multiply

60 by the return rate of twelve percent, divide by ninety-three percent  
61 of the facility's total available beds times three hundred sixty-five  
62 days.

63 (e) The maximum working capital rate will be twenty cents  
64 per day;

65 (4) If a provider does not provide the actual acquisition cost  
66 to determine a reimbursement rate under subparagraph a. of  
67 paragraph (a) of subdivision (3) of subsection 1 of this section, the  
68 sum of the building and building equipment rate, movable  
69 equipment rate, land rate, and working capital rate shall be set at  
70 a reimbursement rate of six dollars;

71 (5) For each state fiscal year a negotiated trend factor shall  
72 be applied to each facility's Title XIX per diem reimbursement  
73 rate. The trend factor shall be determined through negotiations  
74 between the department and the affected providers and is intended  
75 to hold the providers harmless against increase in cost. In no  
76 circumstances shall the negotiated trend factor to be applied to  
77 state funds exceed the health care finance administration market  
78 basket price index for that year. The provisions of this subdivision  
79 shall apply to fiscal year 1996 and thereafter.

80 2. The provisions of subdivisions (1), (2), (3), and (4) of  
81 subsection 1 of this section shall remain in effect until July 1,  
82 1989, unless otherwise provided by law.]

83 EXPLANATION: THE REPORT REQUIRED UNDER THIS SECTION WAS DUE  
84 1-01-95.

[208.627. 1. The department of social services shall seek  
2 input from the department of mental health and community-based  
3 social service agencies, which provide case management services to  
4 the elderly, for the purpose of developing a report outlining areas  
5 and strategies by which the department can deliver case  
6 management services to the elderly by collaboration and  
7 cooperation with community-based social service agencies,  
8 employing licensed personnel. The report shall include, but not be  
9 limited to, the identification of at-risk elderly, transportation  
10 services, case management services, nutrition services, health  
11 services, and socialization activities and programs. The goal of

12 strategies outlined should be to enhance the quality of life and  
13 welfare of Missouri's elderly population, and specifically Missouri's  
14 at-risk elderly.

15 2. The report required by subsection 1 of this section shall  
16 be delivered to the governor, the president pro tem of the senate,  
17 and the speaker of the house not later than January 1, 1995. The  
18 report shall identify effective and efficient methods of delivering  
19 necessary services to at-risk elderly.]

20 EXPLANATION: THIS SECTION EXPIRED 1-01-17.

21 [210.154. 1. There is hereby created within the department  
22 of social services the "Missouri Task Force on the Prevention of  
23 Infant Abuse and Neglect" to study and make recommendations to  
24 the governor and general assembly concerning the prevention of  
25 infant abuse and neglect in Missouri. The task force shall consist  
26 of the following nine members:

27 (1) Two members of the senate from different political  
parties, appointed by the president pro tempore of the senate;

(2) Two members of the house of representatives from  
different political parties, appointed by the speaker of the house of  
representatives;

(3) The director of the department of social services, or his  
or her designee;

(4) The director of the department of health and senior  
services, or his or her designee;

(5) A SAFE CARE provider as described in section 334.950;

(6) A representative of a child advocacy organization  
specializing in prevention of child abuse and neglect; and

(7) A representative of a licensed Missouri hospital or  
licensed Missouri birthing center.

Members of the task force, other than the legislative members and  
the directors of state departments, shall be appointed by the  
governor with the advice and consent of the senate by September  
15, 2016.

2. A majority vote of a quorum of the task force is required  
for any action.

3. The task force shall elect a chair and vice-chair at its

28 first meeting, which shall be convened by the director of the  
29 department of social services, or his or her designee, no later than  
30 October 1, 2016. Meetings may be held by telephone or video  
31 conference at the discretion of the chair.

32 4. Members shall serve on the task force without  
33 compensation but may, subject to appropriations, be reimbursed for  
34 actual and necessary expenses incurred in the performance of their  
35 official duties as members of the task force.

36 5. On or before December 31, 2016, the task force shall  
37 submit a report on its findings and recommendations to the  
38 governor and general assembly.

39 6. The task shall develop recommendations to reduce infant  
40 abuse and neglect, including but not limited to:

41 (1) Sharing information between the children's division and  
42 hospitals and birthing centers for the purpose of identifying  
43 newborn infants who may be at risk of abuse and neglect; and

44 (2) Training division employees and medical providers to  
45 recognize the signs of infant child abuse and neglect.

46 The recommendations may include proposals for specific statutory  
47 and regulatory changes and methods to foster cooperation between  
48 state and local governmental bodies, medical providers, and child  
49 welfare agencies.

50 7. The task force shall expire on January 1, 2017, or upon  
51 submission of a report as provided for under subsection 5 of this  
52 section.]

53 EXPLANATION: THIS SECTION BECAME OBSOLETE WHEN SECTIONS  
54 215.261 AND 215.262 WERE REPEALED IN 2015.

[215.263. 1. For purposes of sections 215.261 to 215.263,  
2 the term "affordable housing" means all residential structures  
3 newly constructed or rehabilitated, which a person earning one  
4 hundred fifteen percent or less of the median income for the  
5 person's county, as determined by the United States Census  
6 Bureau's American Community Survey, based on the most recent  
7 of five-year period estimate data in which the final year of the  
8 estimate ends in either zero or five, could afford if spending  
9 twenty-nine percent of that person's gross income annually on such



10 housing.

11 2. Clerical, research and general administrative support  
12 staff for the commission shall be provided by the Missouri  
13 department of economic development.]

14 EXPLANATION: THIS SECTION EXPIRED 8-28-18.

[217.147. 1. There is hereby created the "Sentencing and  
2 Corrections Oversight Commission". The commission shall be  
3 composed of thirteen members as follows:

4 (1) A circuit court judge to be appointed by the chief justice  
5 of the Missouri supreme court;

6 (2) Three members to be appointed by the governor with the  
7 advice and consent of the senate, one of whom shall be a victim's  
8 advocate, one of whom shall be a representative from the Missouri  
9 Sheriffs' Association, and one of whom shall be a representative of  
10 the Missouri Association of Counties;

11 (3) The following shall be ex officio, voting members:

12 (a) The chair of the senate judiciary committee, or any  
13 successor committee that reviews legislation involving crime and  
14 criminal procedure, who shall serve as co-chair of the commission  
15 and the ranking minority member of such senate committee;

16 (b) The chair of the appropriations-public safety and  
17 corrections committee of the house of representatives, or any  
18 successor committee that reviews similar legislation, who shall  
19 serve as co-chair and the ranking minority member of such house  
20 committee;

21 (c) The director of the Missouri state public defender  
22 system, or his or her designee who is a practicing public defender;

23 (d) The executive director of the Missouri office of  
24 prosecution services, or his or her designee who is a practicing  
25 prosecutor;

26 (e) The director of the department of corrections, or his or  
27 her designee;

28 (f) The chairman of the board of probation and parole, or  
29 his or her designee;

30 (g) The chief justice of the Missouri supreme court, or his  
31 or her designee.

32                   2. Beginning with the appointments made after August 28,  
33                   2012, the circuit court judge member shall be appointed for four  
34                   years, two of the members appointed by the governor shall be  
35                   appointed for three years, and one member appointed by the  
36                   governor shall be appointed for two years. Thereafter, the  
37                   members shall be appointed to serve four-year terms and shall  
38                   serve until a successor is appointed. A vacancy in the office of a  
39                   member shall be filled by appointment for the remainder of the  
40                   unexpired term.

41                   3. The co-chairs are responsible for establishing and  
42                   enforcing attendance and voting rules, bylaws, and the frequency,  
43                   location, and time of meetings, and distributing meeting notices,  
44                   except that the commission's first meeting shall occur by February  
45                   28, 2013, and the commission shall meet at least twice each  
46                   calendar year.

47                   4. The duties of the commission shall include:

48                   (1) Monitoring and assisting the implementation of sections  
49                   217.703, 217.718, and subsection 4 of section 559.036, and  
50                   evaluating recidivism reductions, cost savings, and other effects  
51                   resulting from the implementation;

52                   (2) Determining ways to reinvest any cost savings to pay for  
53                   the continued implementation of the sections listed in subdivision  
54                   (1) of this subsection and other evidence-based practices for  
55                   reducing recidivism; and

56                   (3) Examining the issue of restitution for crime victims,  
57                   including the amount ordered and collected annually, methods and  
58                   costs of collection, and restitution's order of priority in official  
59                   procedures and documents.

60                   5. The department, board, and office of state courts  
61                   administrator shall collect and report any data requested by the  
62                   commission in a timely fashion.

63                   6. The commission shall issue a report to the speaker of the  
64                   house of representatives, senate president pro tempore, chief  
65                   justice of the Missouri supreme court, and governor on December  
66                   31, 2013, and annually thereafter, detailing the effects of the  
67                   sections listed in subdivision (1) of subsection 4 and providing the

68 data and analysis demonstrating those effects. The report may also  
69 recommend ways to reinvest any cost savings into evidence-based  
70 practices to reduce recidivism and possible changes to sentencing  
71 and corrections policies and statutes.

72 7. The department of corrections shall provide  
73 administrative support to the commission to carry out the duties of  
74 this section.

75 8. No member shall receive any compensation for the  
76 performance of official duties, but the members who are not  
77 otherwise reimbursed by their agency shall be reimbursed for  
78 travel and other expenses actually and necessarily incurred in the  
79 performance of their duties.

80 9. The provisions of this section shall automatically expire  
81 on August 28, 2018.]

82 EXPLANATION: THESE SECTIONS EXPIRED 8-28-17.

2 [260.900. As used in sections 260.900 to 260.960, unless the  
context clearly indicates otherwise, the following terms mean:

3 (1) "Abandoned dry-cleaning facility", any real property  
4 premises or individual leasehold space in which a dry-cleaning  
5 facility formerly operated;

6 (2) "Active dry-cleaning facility", any real property premises  
7 or individual leasehold space in which a dry-cleaning facility  
8 currently operates;

9 (3) "Chlorinated dry-cleaning solvent", any dry-cleaning  
10 solvent which contains a compound which has a molecular  
11 structure containing the element chlorine;

12 (4) "Commission", the hazardous waste management  
13 commission created in section 260.365;

14 (5) "Corrective action", those activities described in  
15 subsection 1 of section 260.925;

16 (6) "Corrective action plan", a plan approved by the director  
17 to perform corrective action at a dry-cleaning facility;

18 (7) "Department", the Missouri department of natural  
19 resources;

20 (8) "Director", the director of the Missouri department of  
21 natural resources;

22 (9) "Dry-cleaning facility", a commercial establishment that  
23 operates, or has operated in the past in whole or in part for the  
24 purpose of cleaning garments or other fabrics on site utilizing a  
25 process that involves any use of dry-cleaning  
26 solvents. Dry-cleaning facility includes all contiguous land,  
27 structures and other appurtenances and improvements on the land  
28 used in connection with a dry-cleaning facility but does not include  
29 prisons, governmental entities, hotels, motels or industrial  
30 laundries. Dry-cleaning facility does include coin-operated  
31 dry-cleaning facilities;

32 (10) "Dry-cleaning solvent", any and all nonaqueous  
33 solvents used or to be used in the cleaning of garments and other  
34 fabrics at a dry-cleaning facility and includes but is not limited to  
35 perchloroethylene, also known as tetrachloroethylene, chlorinated  
36 dry-cleaning, and the products into which such solvents degrade;

37 (11) "Dry-cleaning unit", a machine or device which utilizes  
38 dry-cleaning solvents to clean garments and other fabrics and  
39 includes any associated piping and ancillary equipment and any  
40 containment system;

41 (12) "Environmental response surcharge", either the active  
42 dry-cleaning facility registration surcharge or the dry-cleaning  
43 solvent surcharge;

44 (13) "Fund", the dry-cleaning environmental response trust  
45 fund created in section 260.920;

46 (14) "Immediate response to a release", containment and  
47 control of a known release in excess of a reportable quantity and  
48 notification to the department of any known release in excess of a  
49 reportable quantity;

50 (15) "Operator", any person who is or has been responsible  
51 for the operation of dry-cleaning operations at a dry-cleaning  
52 facility;

53 (16) "Owner", any person who owns the real property where  
54 a dry-cleaning facility is or has operated;

55 (17) "Person", an individual, trust, firm, joint venture,  
56 consortium, joint-stock company, corporation, partnership,  
57 association or limited liability company. Person does not include

58 any governmental organization;

59 (18) "Release", any spill, leak, emission, discharge, escape,  
60 leak or disposal of dry-cleaning solvent from a dry-cleaning facility  
61 into the soils or waters of the state;

62 (19) "Reportable quantity", a known release of a  
63 dry-cleaning solvent deemed reportable by applicable federal or  
64 state law or regulation.]

[260.905. 1. The commission shall promulgate and adopt  
2 such initial rules and regulations, effective no later than July 1,  
3 2007, as shall be necessary to carry out the purposes and  
4 provisions of sections 260.900 to 260.960. Prior to the  
5 promulgation of such rules, the commission shall meet with  
6 representatives of the dry-cleaning industry and other interested  
7 parties. The commission, thereafter, shall promulgate and adopt  
8 additional rules and regulations or change existing rules and  
9 regulations when necessary to carry out the purposes and  
10 provisions of sections 260.900 to 260.960.

11 2. Any rule or regulation adopted pursuant to sections  
12 260.900 to 260.960 shall be reasonably necessary to protect human  
13 health, to preserve, protect and maintain the water and other  
14 natural resources of this state and to provide for prompt corrective  
15 action of releases from dry-cleaning facilities.

16 Consistent with these purposes, the commission shall adopt rules  
17 and regulations, effective no later than July 1, 2007:

18 (1) Establishing requirements that owners who close  
19 dry-cleaning facilities remove dry-cleaning solvents and wastes  
20 from such facilities in order to prevent any future releases;

21 (2) Establishing criteria to prioritize the expenditure of  
22 funds from the dry-cleaning environmental response trust  
23 fund. The criteria shall include consideration of:

24 (a) The benefit to be derived from corrective action  
25 compared to the cost of conducting such corrective action;

26 (b) The degree to which human health and the environment  
27 are actually affected by exposure to contamination;

28 (c) The present and future use of an affected aquifer or  
29 surface water;

30 (d) The effect that interim or immediate remedial measures  
31 will have on future costs; and

32 (e) Such additional factors as the commission considers  
33 relevant;

34 (3) Establishing criteria under which a determination may  
35 be made by the department of the level at which corrective action  
36 shall be deemed completed.

37 Criteria for determining completion of corrective action shall be  
38 based on the factors set forth in subdivision (2) of this subsection  
39 and:

40 (a) Individual site characteristics including natural  
41 remediation processes;

42 (b) Applicable state water quality standards;

43 (c) Whether deviation from state water quality standards  
44 or from established criteria is appropriate, based on the degree to  
45 which the desired remediation level is achievable and may be  
46 reasonably and cost effectively implemented, subject to the  
47 limitation that where a state water quality standard is applicable,  
48 a deviation may not result in the application of standards more  
49 stringent than that standard; and

50 (d) Such additional factors as the commission considers  
51 relevant.]

[260.910. 1. No person shall:

2 (1) Operate an active dry-cleaning facility in violation of  
3 sections 260.900 to 260.960, rules and regulations adopted  
4 pursuant to sections 260.900 to 260.960 or orders of the director  
5 pursuant to sections 260.900 to 260.960, or operate an active  
6 dry-cleaning facility in violation of any other applicable federal or  
7 state environmental statutes, rules or regulations;

8 (2) Prevent or hinder a properly identified officer or  
9 employee of the department or other authorized agent of the  
10 director from entering, inspecting, sampling or responding to a  
11 release at reasonable times and with reasonable advance notice to  
12 the operator as authorized by sections 260.900 to 260.960;

13 (3) Knowingly make any false material statement or  
14 representation in any record, report or other document filed,

15 maintained or used for the purpose of compliance with sections  
16 260.900 to 260.960;

17 (4) Knowingly destroy, alter or conceal any record required  
18 to be maintained by sections 260.900 to 260.960 or rules and  
19 regulations adopted pursuant to sections 260.900 to 260.960;

20 (5) Willfully allow a release in excess of a reportable  
21 quantity or knowingly fail to make an immediate response to a  
22 release in accordance with sections 260.900 to 260.960 and rules  
23 and regulations pursuant to sections 260.900 to 260.960.

24 2. The director may bring a civil damages action against  
25 any person who violates any provisions of subsection 1 of this  
26 section. Such civil damages may be assessed in an amount not to  
27 exceed five hundred dollars for each violation and are in addition  
28 to any other penalty assessed by law.

29 3. In assessing any civil damages pursuant to this section,  
30 a court of competent jurisdiction shall consider, when applicable,  
31 the following factors:

32 (1) The extent to which the violation presents a hazard to  
33 human health;

34 (2) The extent to which the violation has or may have an  
35 adverse effect on the environment;

36 (3) The amount of the reasonable costs incurred by the state  
37 in detection and investigation of the violation; and

38 (4) The economic savings realized by the person in not  
39 complying with the provision for which a violation is charged.]

40 [260.915. Each operator of an active dry-cleaning facility  
41 shall register with the department on a form provided by the  
42 department according to procedures established by the department  
43 by rule.]

2 [260.920. 1. There is hereby created within the state  
3 treasury a fund to be known as the "Dry-cleaning Environmental  
4 Response Trust Fund". All moneys received from the  
5 environmental response surcharges, fees, gifts, bequests, donations  
6 and moneys recovered by the state pursuant to sections 260.900 to  
7 260.960, except for any moneys paid under an agreement with the  
8 director or as civil damages, or any other money so designated

8 shall be deposited in the state treasury to the credit of the  
9 dry-cleaning environmental response trust fund, and shall be  
10 invested to generate income to the fund. Notwithstanding the  
11 provisions of section 33.080, the unexpended balance in the  
12 dry-cleaning environmental response trust fund at the end of each  
13 fiscal year shall not be transferred to the general revenue fund.

14 2. Moneys in the fund may be expended for only the  
15 following purposes and for no other governmental purpose:

16 (1) The direct costs of administration and enforcement of  
17 sections 260.900 to 260.960; and

18 (2) The costs of corrective action as provided in section  
19 260.925.

20 3. The state treasurer is authorized to deposit all of the  
21 moneys in the dry-cleaning environmental response trust fund in  
22 any of the qualified depositories of the state. All such deposits  
23 shall be secured in such a manner and shall be made upon such  
24 terms and conditions as are now or may hereafter be provided by  
25 law relative to state deposits. Interest received on such deposits  
26 shall be credited to the dry-cleaning environmental response trust  
27 fund.

28 4. Any funds received pursuant to sections 260.900 to  
29 260.960 and deposited in the dry-cleaning environmental response  
30 trust fund shall not be considered a part of "total state revenue" as  
31 provided in sections 17 and 18 of article X of the Missouri  
32 Constitution.]

[260.925. 1. On and after July 1, 2002, moneys in the fund  
2 shall be utilized to address contamination resulting from releases  
3 of dry-cleaning solvents as provided in sections 260.900 to  
4 260.960. Whenever a release poses a threat to human health or the  
5 environment, the department, consistent with rules and regulations  
6 adopted by the commission pursuant to subdivisions (2) and (3) of  
7 subsection 2 of section 260.905, shall expend moneys available in  
8 the fund to provide for:

9 (1) Investigation and assessment of a release from a  
10 dry-cleaning facility, including costs of investigations and  
11 assessments of contamination which may have moved off of the



12 dry-cleaning facility;

13 (2) Necessary or appropriate emergency action, including  
14 but not limited to treatment, restoration or replacement of drinking  
15 water supplies, to assure that the human health or safety is not  
16 threatened by a release or potential release;

17 (3) Remediation of releases from dry-cleaning facilities,  
18 including contamination which may have moved off of the  
19 dry-cleaning facility, which remediation shall consist of the  
20 preparation of a corrective action plan and the cleanup of affected  
21 soil, groundwater and surface waters, using an alternative that is  
22 cost-effective, technologically feasible and reliable, provides  
23 adequate protection of human health and environment and to the  
24 extent practicable minimizes environmental damage;

25 (4) Operation and maintenance of corrective action;

26 (5) Monitoring of releases from dry-cleaning facilities  
27 including contamination which may have moved off of the  
28 dry-cleaning facility;

29 (6) Payment of reasonable costs incurred by the director in  
30 providing field and laboratory services;

31 (7) Reasonable costs of restoring property as nearly as  
32 practicable to the condition that existed prior to activities  
33 associated with the investigation of a release or cleanup or  
34 remediation activities;

35 (8) Removal and proper disposal of wastes generated by a  
36 release of a dry-cleaning solvent; and

37 (9) Payment of costs of corrective action conducted by the  
38 department or by entities other than the department but approved  
39 by the department, whether or not such corrective action is set out  
40 in a corrective action plan; except that, there shall be no  
41 reimbursement for corrective action costs incurred before August  
42 28, 2000.

43 2. Nothing in subsection 1 of this section shall be construed  
44 to authorize the department to obligate moneys in the fund for  
45 payment of costs that are not integral to corrective action for a  
46 release of dry-cleaning solvents from a dry-cleaning  
47 facility. Moneys from the fund shall not be used:

48 (1) For corrective action at sites that are contaminated by  
49 solvents normally used in dry-cleaning operations where the  
50 contamination did not result from the operation of a dry-cleaning  
51 facility;

52 (2) For corrective action at sites, other than dry-cleaning  
53 facilities, that are contaminated by dry-cleaning solvents which  
54 were released while being transported to or from a dry-cleaning  
55 facility;

56 (3) To pay any fine or penalty brought against a  
57 dry-cleaning facility operator under state or federal law;

58 (4) To pay any costs related to corrective action at a  
59 dry-cleaning facility that has been included by the United States  
60 Environmental Protection Agency on the national priorities list;

61 (5) For corrective action at sites with active dry-cleaning  
62 facilities where the owner or operator is not in compliance with  
63 sections 260.900 to 260.960, rules and regulations adopted  
64 pursuant to sections 260.900 to 260.960, orders of the director  
65 pursuant to sections 260.900 to 260.960, or any other applicable  
66 federal or state environmental statutes, rules or regulations; or

67 (6) For corrective action at sites with abandoned  
68 dry-cleaning facilities that have been taken out of operation prior  
69 to July 1, 2009, and not documented by or reported to the  
70 department by July 1, 2009. Any person reporting such a site to  
71 the department shall include any available evidence that the site  
72 once contained a dry-cleaning facility.

73 3. Nothing in sections 260.900 to 260.960 shall be construed  
74 to restrict the department from temporarily postponing completion  
75 of corrective action for which moneys from the fund are being  
76 expended whenever such postponement is deemed necessary in  
77 order to protect public health and the environment.

78 4. At any multisource site, the department shall utilize the  
79 moneys in the fund to pay for the proportionate share of the  
80 liability for corrective action costs which is attributable to a release  
81 from one or more dry-cleaning facilities and for that proportionate  
82 share of the liability only.

83 5. At any multisource site, the director is authorized to

84 make a determination of the relative liability of the fund for costs  
85 of corrective action, expressed as a percentage of the total cost of  
86 corrective action at a site, whether known or unknown. The  
87 director shall issue an order establishing such percentage of  
88 liability. Such order shall be binding and shall control the  
89 obligation of the fund until or unless amended by the director. In  
90 the event of an appeal from such order, such percentage of liability  
91 shall be controlling for costs incurred during the pendency of the  
92 appeal.

93 6. Any authorized officer, employee or agent of the  
94 department, or any person under order or contract with the  
95 department, may enter onto any property or premises, at  
96 reasonable times and with reasonable advance notice to the  
97 operator, to take corrective action where the director determines  
98 that such action is necessary to protect the public health or  
99 environment. If consent is not granted by the operator regarding  
100 any request made by any officer, employee or agent of the  
101 department, or any person under order or contract with the  
102 department, under the provisions of this section, the director may  
103 issue an order directing compliance with the request. The order  
104 may be issued after such notice and opportunity for consultation as  
105 is reasonably appropriate under the circumstances.

106 7. Notwithstanding any other provision of sections 260.900  
107 to 260.960, in the discretion of the director, an operator may be  
108 responsible for up to one hundred percent of the costs of corrective  
109 action attributable to such operator if the director finds, after  
110 notice and an opportunity for a hearing in accordance with chapter  
111 536 that:

112 (1) Requiring the operator to bear such responsibility will  
113 not prejudice another owner, operator or person who is eligible,  
114 pursuant to the provisions of sections 260.900 to 260.960, to have  
115 corrective action costs paid by the fund; and

116 (2) The operator:

117 (a) Caused a release in excess of a reportable quantity by  
118 willful or wanton actions and such release was caused by operating  
119 practices in violation of existing laws and regulations at the time

120 of the release; or

121 (b) Is in arrears for moneys owed pursuant to sections  
122 260.900 to 260.960, after notice and an opportunity to correct the  
123 arrearage; or

124 (c) Materially obstructs the efforts of the department to  
125 carry out its obligations pursuant to sections 260.900 to 260.960;  
126 except that, the exercise of legal rights shall not constitute a  
127 substantial obstruction; or

128 (d) Caused or allowed a release in excess of a reportable  
129 quantity because of a willful material violation of sections 260.900  
130 to 260.960 or the rules and regulations adopted by the commission  
131 pursuant to sections 260.900 to 260.960.

132 8. For purposes of subsection 7 of this section, unless a  
133 transfer is made to take advantage of the provisions of subsection  
134 7 of this section, purchasers of stock or other indicia of ownership  
135 and other successors in interest shall not be considered to be the  
136 same owner or operator as the seller or transferor of such stock or  
137 indicia of ownership even though there may be no change in the  
138 legal identity of the owner or operator. To the extent that an  
139 owner or operator is responsible for corrective action costs pursuant  
140 to subsection 7 of this section, such owner or operator shall not be  
141 entitled to the exemption provided in subsection 5 of section  
142 260.930.

143 9. The fund shall not be liable for the payment of costs in  
144 excess of one million dollars at any one contaminated dry-cleaning  
145 site. Additionally, the fund shall not be liable for the payment of  
146 costs for any one site in excess of twenty-five percent of the total  
147 moneys in the fund during any fiscal year.

148 For purposes of this subsection, "contaminated dry-cleaning site"  
149 means the areal extent of soil or ground water contaminated with  
150 dry-cleaning solvents.

151 10. The owner or operator of an active dry-cleaning facility  
152 shall be liable for the first twenty-five thousand dollars of  
153 corrective action costs incurred because of a release from an active  
154 dry-cleaning facility. The owner of an abandoned dry-cleaning  
155 facility shall be liable for the first twenty-five thousand dollars of

156 corrective action costs incurred because of a release from an  
157 abandoned dry-cleaning facility. Nothing in this subsection shall  
158 be construed to prohibit the department from taking corrective  
159 action because the department cannot obtain the deductible.]

[260.930. 1. Neither the state of Missouri, the fund, the  
2 commission, the director nor the department or agent or employees  
3 thereof shall be liable for loss of business, damages or taking of  
4 property associated with any corrective action taken pursuant to  
5 sections 260.900 to 260.960.

6 2. Nothing in sections 260.900 to 260.960 shall establish or  
7 create any liability or responsibility on the part of the commission,  
8 the director, the department or the state of Missouri, or agents or  
9 employees thereof, to pay any corrective action costs from any  
10 source other than the fund or to take corrective action if the  
11 moneys in the fund are insufficient to do so.

12 3. Nothing in sections 260.900 to 260.960 shall be construed  
13 to abrogate or limit any right, remedy, causes of action, or claim by  
14 any person sustaining personal injury or property damage as a  
15 result of any release from a dry-cleaning facility, nor shall anything  
16 in sections 260.900 to 260.960 be construed to abrogate or limit any  
17 liability of any person in any way responsible for any release from  
18 a dry-cleaning facility or any damages for personal injury or  
19 property damages caused by such a release.

20 4. Moneys in the fund shall not be used for compensating  
21 third parties for bodily injury or property damage caused by a  
22 release from a dry-cleaning facility, other than property damage  
23 included in the corrective action plan approved by the director.

24 5. To the extent that an operator, owner or other person is  
25 eligible pursuant to the provisions of sections 260.900 to 260.960  
26 to have corrective action costs paid by the fund, no administrative  
27 or judicial claim may be made under state law against any such  
28 operator, owner or other person by or on behalf of a state or local  
29 government or by any person to either compel corrective action at  
30 the dry-cleaning facility site or seek recovery of the costs of  
31 corrective action at the dry-cleaning facility which result from the  
32 release of dry-cleaning solvents from that dry-cleaning facility or

33 to compel corrective action or seek recovery of the costs of  
34 corrective action which result from the release of dry-cleaning  
35 solvents from a dry-cleaning facility. The provisions of this  
36 subsection shall apply to any dry-cleaning facility or dry-cleaning  
37 facility site which has been included in a corrective action plan  
38 approved by the director. The director shall only approve a  
39 corrective action plan after making a determination that a  
40 sufficient balance in the fund exists to implement the plan. No  
41 administrative or judicial claim may be made unless the director  
42 has rejected the corrective action plan submitted pursuant to  
43 section 260.925.]

[260.935. 1. Every active dry-cleaning facility shall pay, in  
2 addition to any other environmental response surcharges, an  
3 annual dry-cleaning facility registration surcharge as follows:

4 (1) Five hundred dollars for facilities which use no more  
5 than one hundred forty gallons of chlorinated solvents;

6 (2) One thousand dollars for facilities which use more  
7 than one hundred forty gallons of chlorinated solvents and  
8 less than three hundred sixty gallons of chlorinated  
9 solvents per year; and

10 (3) Fifteen hundred dollars for facilities which use at least  
11 three hundred sixty gallons of chlorinated solvents per year.

12 2. The active dry-cleaning facility registration surcharge  
13 imposed by this section shall be reported and paid to the  
14 department on an annual basis.

15 The commission shall prescribe by administrative rule the  
16 procedure for the report and payment required by this section.

17 3. The department shall provide each person who pays a  
18 dry-cleaning facility registration surcharge pursuant to this section  
19 with a receipt. The receipt or the copy of the receipt shall be  
20 produced for inspection at the request of any authorized  
21 representative of the department.

22 4. All moneys collected or received by the department  
23 pursuant to this section shall be transmitted to the department of  
24 revenue for deposit in the state treasury to the credit of the  
25 dry-cleaning environmental response trust fund created in section

26 260.920. Following each annual reporting date, the state treasurer  
27 shall certify the amount deposited in the fund to the department.

28 5. If any person does not pay the active dry-cleaning facility  
29 registration surcharge or any portion of the active dry-cleaning  
30 facility registration surcharge imposed by this section by the date  
31 prescribed for such payment, the department shall impose and such  
32 person shall pay, in addition to the active dry-cleaning facility  
33 registration surcharge owed by such person, a penalty of fifteen  
34 percent of the active dry-cleaning facility registration  
35 surcharge. Such penalty shall be deposited in the dry-cleaning  
36 environmental response trust fund.

37 6. If any person does not pay the active dry-cleaning facility  
38 registration surcharge or any portion of the active dry-cleaning  
39 facility registration surcharge imposed by this section by the date  
40 prescribed for such payment, the department shall also impose  
41 interest upon the unpaid amount at the rate of ten percent per  
42 annum from the date prescribed for the payment of such surcharge  
43 and penalties until payment is actually made. Such interest shall  
44 be deposited in the dry-cleaning environmental response trust  
45 fund.]

[260.940. 1. Every seller or provider of dry-cleaning solvent  
2 for use in this state shall pay, in addition to any other  
3 environmental response surcharges, a dry-cleaning solvent  
4 surcharge on the sale or provision of dry-cleaning solvent.

5 2. The amount of the dry-cleaning solvent surcharge  
6 imposed by this section on each gallon of dry-cleaning solvent shall  
7 be an amount equal to the product of the solvent factor for the  
8 dry-cleaning solvent and the rate of eight dollars per gallon.

9 3. The solvent factor for each dry-cleaning solvent is as  
10 follows:

11 (1) For perchloroethylene, the solvent factor is 1.00;  
12 (2) For 1,1,1-trichloroethane, the solvent factor is 1.00; and  
13 (3) For other chlorinated dry-cleaning solvents, the solvent  
14 factor is 1.00.

15 4. In the case of a fraction of a gallon, the dry-cleaning  
16 solvent surcharge imposed by this section shall be the same

17 fraction of the fee imposed on a whole gallon.

18 5. The dry-cleaning solvent surcharge required in this  
19 section shall be paid to the department by the seller or provider of  
20 the dry-cleaning solvent, regardless of the location of such seller or  
21 provider.

22 6. The dry-cleaning solvent surcharge required in this  
23 section shall be paid by the seller or provider on a quarterly basis  
24 and shall be paid to the department for the previous quarter. The  
25 commission shall prescribe by administrative rule the procedure for  
26 the payment required by this section.

27 7. The department shall provide each person who pays a  
28 dry-cleaning solvent surcharge pursuant to this section with a  
29 receipt. The receipt or the copy of the receipt shall be produced for  
30 inspection at the request of any authorized representative of the  
31 department.

32 8. All moneys collected or received by the department  
33 pursuant to this section shall be transmitted to the department of  
34 revenue for deposit in the state treasury to the credit of the  
35 dry-cleaning environmental response trust fund created in section  
36 260.920. Following each annual or quarterly reporting date, the  
37 state treasurer shall certify the amount deposited to the  
38 department.

39 9. If any seller or provider of dry-cleaning solvent fails or  
40 refuses to pay the dry-cleaning solvent surcharge imposed by this  
41 section, the department shall impose and such seller or provider  
42 shall pay, in addition to the dry-cleaning solvent surcharge owed  
43 by the seller or provider, a penalty of fifteen percent of the  
44 dry-cleaning solvent surcharge. Such penalty shall be deposited in  
45 the dry-cleaning environmental response trust fund.

46 10. If any person does not pay the dry-cleaning solvent  
47 surcharge or any portion of the dry-cleaning solvent surcharge  
48 imposed by this section by the date prescribed for such payment,  
49 the department shall impose and such person shall pay interest  
50 upon the unpaid amount at the rate of ten percent per annum from  
51 the date prescribed for the payment of such surcharge and  
52 penalties until payment is actually made. Such interest shall be



53 deposited in the dry-cleaning environmental response trust fund.

54 11. An operator of a dry-cleaning facility shall not purchase  
55 or obtain solvent from a seller or provider who does not pay the  
56 dry-cleaning solvent charge, as provided in this section. Any  
57 operator of a dry-cleaning facility who fails to obey the provisions  
58 of this section shall be required to pay the dry-cleaning solvent  
59 surcharge as provided in subsections 2, 3 and 4 of this section for  
60 any dry-cleaning solvent purchased or obtained from a seller or  
61 provider who fails to pay the proper dry-cleaning solvent surcharge  
62 as determined by the department. Any operator of a dry-cleaning  
63 facility who fails to follow the provisions of this subsection shall  
64 also be charged a penalty of fifteen percent of the dry-cleaning  
65 solvent surcharge owed. Any operator of a dry-cleaning facility  
66 who fails to obey the provisions of this subsection shall also be  
67 subject to the interest provisions of subsection 10 of this section. If  
68 a seller or provider of dry-cleaning solvent charges the operator of  
69 a dry-cleaning facility the dry-cleaning solvent surcharge provided  
70 for in this section when the solvent is purchased or obtained by the  
71 operator and the operator can prove that the operator made full  
72 payment of the surcharge to the seller or provider but the seller or  
73 provider fails to pay the surcharge to the department as required  
74 by this section, then the operator shall not be liable pursuant to  
75 this subsection for interest, penalties or the seller's or provider's  
76 unpaid surcharge. Such surcharges, penalties and interest shall be  
77 collected by the department, and all moneys collected pursuant to  
78 this subsection shall be deposited in the dry-cleaning  
79 environmental response trust fund.]

2 [260.945. 1. If the unobligated principal of the fund equals  
3 or exceeds five million dollars on April first of any year, the active  
4 dry-cleaning facility registration surcharge imposed by section  
5 260.935 and the dry-cleaning solvent surcharge imposed by section  
6 260.940 shall not be collected on or after the next July first until  
7 such time as on April first of any year thereafter the unobligated  
8 principal balance of the fund equals two million dollars or less,  
9 then the active dry-cleaning facility registration surcharge imposed  
by section 260.935 and the dry-cleaning solvent surcharge imposed

10 by section 260.940 shall again be collected on and after the next  
11 July first.

12 2. Not later than April fifth of each year, the state  
13 treasurer shall notify the department of the amount of the  
14 unobligated balance of the fund on April first of such year. Upon  
15 receipt of the notice, the department shall notify the public if the  
16 active dry-cleaning facility registration surcharge imposed by  
17 section 260.935 and the dry-cleaning solvent surcharge imposed by  
18 section 260.940 will terminate or be payable on the following July  
19 first.

20 3. Moneys in the fund shall not be expended pursuant to  
21 sections 260.900 to 260.960 prior to July 1, 2002.]

[260.950. 1. All final orders and determinations of the  
2 commission or the department made pursuant to the provisions of  
3 sections 260.900 to 260.960 are subject to judicial review pursuant  
4 to the provisions of chapter 536. All final orders and  
5 determinations shall be deemed administrative decisions as that  
6 term is defined in chapter 536; provided that, no judicial review  
7 shall be available, unless all administrative remedies are  
8 exhausted.

9 2. In any suit filed pursuant to section 536.050 concerning  
10 the validity of the commission's or department's standards, rules  
11 or regulations, the court shall review the record made before the  
12 commission or department to determine the validity and such  
13 reasonableness of such standards, rules or regulations and may  
14 hear such additional evidence as it deems necessary.]

[260.955. The department shall annually transmit a report  
2 to the general assembly and the governor regarding:

3 (1) Receipts of the fund during the preceding calendar year  
4 and the sources of the receipts;

5 (2) Disbursements from the fund during the preceding  
6 calendar year and the purposes of the disbursements;

7 (3) The extent of corrective action taken pursuant to  
8 sections 260.900 to 260.960 during the preceding calendar year;  
9 and

10 (4) The prioritization of sites for expenditures from the

11 fund.]

2 [260.960. Any rule or portion of a rule, as that term is  
3 defined in section 536.010, that is created under the authority  
4 delegated in this section shall become effective only if it complies  
5 with and is subject to all of the provisions of chapter 536 and, if  
6 applicable, section 536.028. This section and chapter 536 are  
7 nonseverable and if any of the powers vested with the general  
8 assembly pursuant to chapter 536 to review, to delay the effective  
9 date or to disapprove and annul a rule are subsequently held  
10 unconstitutional, then the grant of rulemaking authority and any  
11 rule proposed or adopted after the effective date of this act shall be  
invalid and void.]

2 [260.965. The provisions of sections 260.900 to 260.965  
shall expire August 28, 2017.]

3 EXPLANATION: THIS SECTION WAS NOT RENEWED IN 2010 BY THE 95TH  
4 GENERAL ASSEMBLY AS REQUIRED UNDER SUBDIVISION (7) AND HAS  
5 NOT BEEN CERTIFIED BY THE UNITED STATES DEPARTMENT OF LABOR  
6 IN ORDER TO TAKE EFFECT UNDER SUBDIVISION (8) OF THIS SECTION.

2 [288.501. Notwithstanding any other provision of law to the  
contrary:

3 (1) If a claimant does not have sufficient wages in the base  
4 period to be an insured worker, as those terms are defined in  
5 section 288.030, the individual's base period shall be the four most  
6 recently completed calendar quarters preceding the first day of the  
7 individual's benefit year. Such base period shall be known as the  
8 "alternate base period". If information as to wages for the most  
9 recent quarter of the alternate base period is not available to the  
10 deputy from the regular quarterly reports of wage information,  
11 which are systematically accessible, the deputy may base the  
12 determination of eligibility for benefits on the affidavit of the  
13 claimant with respect to wages for that calendar quarter. The  
14 claimant shall furnish payroll documentation, where available, in  
15 support of the affidavit. The determination based upon the  
16 alternate base period as it relates to the claimant's benefit rights  
17 shall be amended if the quarterly report of wage information from  
18 the employer is timely received and that information causes a

19 change in the determination. No calendar quarter in a base period  
20 or alternate base period for a claimant's current benefit year shall  
21 be used to establish a subsequent benefit year;

22 (2) The claimant shall not be disqualified from  
23 unemployment compensation for separating from employment if  
24 that separation is for any compelling family reason. For the  
25 purposes of this section, the term "compelling family reason" shall  
26 mean:

27 (a) The illness or disability of a member of the claimant's  
28 immediate family, which shall include the claimant's spouse,  
29 parent, or minor child under the age of eighteen;

30 (b) The need for the claimant to accompany such claimant's  
31 spouse to a location from which it is impractical for the claimant  
32 to commute and due to a change in location of the spouse's  
33 employment;

34 (c) Domestic violence, verified by reasonable and  
35 confidential documentation, which causes the claimant reasonably  
36 to believe that the claimant's continued employment would  
37 jeopardize the safety of the claimant or of any member of the  
38 claimant's family, as defined by the United States Secretary of  
39 Labor;

40 (3) A claimant who has commenced training under the  
41 Workforce Investment Act of 1998, or director-approved training  
42 under section 288.055, and has exhausted the claimant's regular  
43 unemployment benefits shall be eligible for additional  
44 unemployment benefits, not to exceed twenty-six times the  
45 claimant's weekly benefit amount. The weekly benefit amount  
46 shall be the same as the claimant's regular weekly benefit amount  
47 and shall be paid under the same terms and conditions as regular  
48 benefits. These training benefits shall be paid after any extended  
49 benefits or any similar benefits paid by a federally funded program;

50 (4) Priority for training funds provided under subdivision  
51 (3) of this section shall be given to claimants laid off through no  
52 fault of their own from Missouri automobile manufacturing  
53 facilities;

54 (5) No charges shall be made against an employer's account

55 in respect to benefits paid to a claimant under this section;

56 (6) The director shall separately track payments that were  
57 made under this section. Once the amount of payments exceeds the  
58 amount of federal incentive funds made available because of the  
59 enactment of this section, the unemployment compensation fund  
60 shall be reimbursed from general revenue for all subsequent  
61 payments to the claimants;

62 (7) The provisions of this section shall be subject to renewal  
63 in the second regular session of the ninety-fifth general assembly. If  
64 not renewed, the provisions of this section shall expire once the  
65 funds provided under the American Recovery and Reinvestment Act  
66 of 2009 are expended as provided in this section;

67 (8) The provisions of this section shall not take effect, and  
68 no benefits paid under this section, unless first certified by the  
69 United States Secretary of Labor under 42 U.S.C. 1103, as  
70 amended by the American Recovery and Reinvestment Act of 2009.]

71 EXPLANATION: THIS SECTION EXPIRED 12-31-18.

[319.140. 1. There is established a task force of the general  
2 assembly to be known as the "Task Force on the Petroleum Storage  
3 Tank Insurance Fund". Such task force shall be composed of eight  
4 members. Three members shall be from the house of  
5 representatives with two appointed by the speaker of the house of  
6 representatives and one appointed by the minority floor leader of  
7 the house of representatives. Three members shall be from the  
8 senate with two appointed by the president pro tempore of the  
9 senate and one appointed by the minority floor leader of the  
10 senate. Two members shall be industry stakeholders with one  
11 appointed by the speaker of the house of representatives and one  
12 appointed by the president pro tempore of the senate. No more  
13 than two members from either the house of representatives or the  
14 senate shall be from the same political party. A majority of the  
15 task force shall constitute a quorum.

16 2. The task force shall conduct research and compile a  
17 report for delivery to the general assembly by December 31, 2018,  
18 on the following:

19 (1) The efficacy of the petroleum storage tank insurance

20 fund and program;

21 (2) The sustainability of the petroleum storage tank  
22 insurance fund and program;

23 (3) The administration of the petroleum storage tank  
24 insurance fund and program;

25 (4) The availability of private insurance for above- and  
26 below-ground petroleum storage tanks, and the necessity of  
27 insurance subsidies created through the petroleum storage tank  
28 insurance program;

29 (5) Compliance with federal programs, regulations, and  
30 advisory reports; and

31 (6) The comparability of the petroleum storage tank  
32 insurance program to other states' programs and states without  
33 such programs.

34 3. The task force shall meet within thirty days after its  
35 creation and organize by selecting a chairperson and vice  
36 chairperson, one of whom shall be a member of the senate and the  
37 other a member of the house of representatives. Thereafter, the  
38 task force may meet as often as necessary in order to accomplish  
39 the tasks assigned to it.

40 4. The task force shall be staffed by legislative staff as  
41 necessary to assist the task force in the performance of its duties.

42 5. The members of the task force shall serve without  
43 compensation but shall be entitled to reimbursement for actual and  
44 necessary expenses incurred in the performance of their official  
45 duties.

46 6. This section shall expire on December 31, 2018.]

47 EXPLANATION: THE AUTHORITY TO ISSUE NEW TAX CREDITS UNDER  
48 THIS SECTION EXPIRED 8-28-10 (7 YR. CARRY FORWARD OF CREDIT  
49 ALLOWED UNDER SUBSECTION 2 UNTIL 8-28-17).

[320.093. 1. Any person, firm or corporation who purchases  
2 a dry fire hydrant, as defined in section 320.273, or provides an  
3 acceptable means of water storage for such dry fire hydrant  
4 including a pond, tank or other storage facility with the primary  
5 purpose of fire protection within the state of Missouri, shall be  
6 eligible for a credit on income taxes otherwise due pursuant to

7 chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as  
8 an incentive to implement safe and efficient fire protection  
9 controls. The tax credit, not to exceed five thousand dollars, shall  
10 be equal to fifty percent of the cost in actual expenditure for any  
11 new water storage construction, equipment, development and  
12 installation of the dry hydrant, including pipes, valves, hydrants  
13 and labor for each such installation of a dry hydrant or new water  
14 storage facility. The amount of the tax credit claimed for in-kind  
15 contributions shall not exceed twenty-five percent of the total  
16 amount of the contribution for which the tax credit is claimed.

17 2. Any amount of credit which exceeds the tax due shall not  
18 be refunded but may be carried over to any subsequent taxable  
19 year, not to exceed seven years. The person, firm or corporation  
20 may elect to assign to a third party the approved tax credit. The  
21 certificate of assignment and other appropriate forms shall be filed  
22 with the Missouri department of revenue and the department of  
23 economic development.

24 3. The person, firm or corporation shall make application  
25 for the credit to the department of economic development after  
26 receiving approval of the state fire marshal. The fire marshal shall  
27 establish by rule promulgated pursuant to chapter 536, RSMo, the  
28 requirements to be met based on the National Resources  
29 Conservation Service's Dry Hydrant Standard. The state fire  
30 marshal or designated local representative shall review and  
31 authorize the construction and installation of any dry fire hydrant  
32 site. Only approved dry fire hydrant sites shall be eligible for tax  
33 credits as indicated in this section. Under no circumstance shall  
34 such authority deny any entity the ability to provide a dry fire  
35 hydrant site when tax credits are not requested.

36 4. The department of public safety shall certify to the  
37 department of revenue that the dry hydrant system meets the  
38 requirements to obtain a tax credit as specified in subsection 5 of  
39 this section.

40 5. In order to qualify for a tax credit under this section, a  
41 dry hydrant or new water storage facility shall meet the following  
42 minimum requirements:

43 (1) Each body of water or water storage structure shall be  
44 able to provide two hundred fifty gallons per minute for a  
45 continuous two-hour period during a fifty-year drought or freeze at  
46 a vertical lift of eighteen feet;

47 (2) Each dry hydrant shall be located within twenty-five  
48 feet of an all-weather roadway and shall be accessible to fire  
49 protection equipment;

50 (3) Dry hydrants shall be located a reasonable distance  
51 from other dry or pressurized hydrants; and

52 (4) The site shall provide a measurable economic  
53 improvement potential for rural development.

54 6. New credits shall not be awarded under this section after  
55 August 28, 2010. The total amount of all tax credits allowed  
56 pursuant to this section is five hundred thousand dollars in any  
57 one fiscal year as approved by the director of the department of  
58 economic development.

59 7. Any rule or portion of a rule, as that term is defined in  
60 section 536.010, RSMo, that is created under the authority  
61 delegated in this section shall become effective only if it complies  
62 with and is subject to all of the provisions of chapter 536, RSMo,  
63 and, if applicable, section 536.028, RSMo. This section and chapter  
64 536, RSMo, are nonseverable and if any of the powers vested with  
65 the general assembly pursuant to chapter 536, RSMo, to review, to  
66 delay the effective date or to disapprove and annul a rule are  
67 subsequently held unconstitutional, then the grant of rulemaking  
68 authority and any rule proposed or adopted after August 28, 2007,  
69 shall be invalid and void. ]

70 EXPLANATION: THIS SECTION EXPIRED 08-28-16.

2 [334.153. 1. No person other than a physician licensed  
3 under this chapter shall perform the following interventions in the  
4 course of diagnosing or treating pain which is chronic, persistent  
5 and intractable, or occurs outside of a surgical, obstetrical, or  
6 postoperative course of care:

6 (1) Ablation of targeted nerves;

7 (2) Percutaneous precision needle placement within the  
8 spinal column with placement of drugs, such as local anesthetics,



9 steroids, and analgesics, in the spinal column under fluoroscopic  
10 guidance. The provisions of this subdivision shall not apply to  
11 interlaminar lumbar epidural injections performed in a hospital as  
12 defined in section 197.020 or an ambulatory surgery center as  
13 defined in section 197.200 if the standard of care for Medicare  
14 reimbursement for interlaminar or translaminar lumbar epidural  
15 injections is changed after August 28, 2012, to allow  
16 reimbursement only with the use of image guidance; or

17 (3) Laser or endoscopic discectomy, or the surgical  
18 placement of intrathecal infusion pumps, and or spinal cord  
19 stimulators.

20 2. Nothing in this section shall be construed to prohibit or  
21 restrict the performance of surgical or obstetrical anesthesia  
22 services or postoperative pain control by a certified registered  
23 nurse anesthetist pursuant to subsection 7 of section 334.104 or by  
24 an anesthesiologist assistant licensed pursuant to sections 334.400  
25 to 334.434.

26 3. The state board of registration for the healing arts may  
27 promulgate rules to implement the provisions of this section, except  
28 that such authority shall not apply to rulemaking authority to  
29 define or regulate the scope of practice of certified registered nurse  
30 anesthetists. Any rule or portion of a rule, as that term is defined  
31 in section 536.010, that is created under the authority delegated in  
32 this section shall become effective only if it complies with and is  
33 subject to all of the provisions of chapter 536 and, if applicable,  
34 section 536.028. This section and chapter 536 are nonseverable  
35 and if any of the powers vested with the general assembly pursuant  
36 to chapter 536 to review, to delay the effective date, or to  
37 disapprove and annul a rule are subsequently held  
38 unconstitutional, then the grant of rulemaking authority and any  
39 rule proposed or adopted after August 28, 2012, shall be invalid  
40 and void.

41 4. The provisions of this section shall automatically expire  
42 four years after August 28, 2012, unless reauthorized by an act of  
43 the general assembly.]

44 EXPLANATION: THIS SECTION SUNSET 8-28-18. NOTE: NO SUNSET

## 45 REVIEW REPORT WAS PREPARED ON THIS SECTION.

2 [338.320. 1. There is hereby established the "Missouri  
3 Electronic Prior Authorization Committee" in order to facilitate,  
4 monitor, and report to the general assembly on Missouri-based  
5 efforts to contribute to the establishment of national electronic  
6 prior authorization standards. Such efforts shall include the  
7 Missouri-based electronic prior authorization pilot program  
8 established under subsection 5 of this section and the study and  
9 dissemination of information by the committee of the efforts of the  
10 National Council on Prescription Drug Programs (NCPDP) to  
11 develop national electronic prior authorization standards. The  
12 committee shall advise the general assembly and the department  
13 of insurance, financial institutions and professional registration as  
14 to whether there is a need for administrative rules to be  
15 promulgated by the department of insurance, financial institutions  
16 and professional registration as soon as practically possible.

17 2. The Missouri electronic prior authorization committee  
18 shall consist of the following members:

19 (1) Two members of the senate, appointed by the president  
20 pro tempore of the senate;

21 (2) Two members of the house of representatives, appointed  
22 by the speaker of the house of representatives;

23 (3) One member from an organization of licensed physicians  
24 in the state;

25 (4) One member who is a physician licensed in Missouri  
26 pursuant to chapter 334;

27 (5) One member who is a representative of a Missouri  
28 pharmacy benefit management company;

29 (6) One member from an organization representing licensed  
30 pharmacists in the state;

31 (7) One member from the business community representing  
32 businesses on health insurance issues;

33 (8) One member from an organization representing the  
34 leading research-based pharmaceutical and biotechnology  
35 companies;

(9) One member from an organization representing the

- 36 largest generic pharmaceutical trade association;
- 37 (10) One patient advocate;
- 38 (11) One member from an electronic prescription network  
39 that facilitates the secure electronic exchange of clinical  
40 information between physicians, pharmacies, payers, and pharmacy  
41 benefit managers and other health care providers;
- 42 (12) One member from a Missouri-based electronic health  
43 records company;
- 44 (13) One member from an organization representing the  
45 largest number of hospitals in the state;
- 46 (14) One member from a health carrier as such term is  
47 defined under section 376.1350;
- 48 (15) One member from an organization representing the  
49 largest number of health carriers in the state, as such term is  
50 defined under section 376.1350;
- 51 (16) The director of the department of social services, or the  
52 director's designee;
- 53 (17) The director of the department of insurance, financial  
54 institutions and professional registration, who shall be chair of the  
55 committee.
- 56 3. All of the members, except for the members from the  
57 general assembly, shall be appointed by the governor no later than  
58 September 1, 2012, with the advice and consent of the senate. The  
59 staff of the department of insurance, financial institutions and  
60 professional registration shall provide assistance to the committee.
- 61 4. The duties of the committee shall be as follows:
- 62 (1) Before February 1, 2019, monitor and report to the  
63 general assembly on the Missouri-based electronic prior  
64 authorization pilot program created under subsection 5 of this  
65 section including a report of the outcomes and best practices  
66 developed as a result of the pilot program and how such  
67 information can be used to inform the national standard-setting  
68 process;
- 69 (2) Obtain specific updates from the NCPDP and other  
70 pharmacy benefit managers and vendors that are currently  
71 engaged in pilot programs working toward national electronic prior

72 authorization standards;

73 (3) Correspond and collaborate with the NCPDP and other  
74 such pilots through the exchange of information and ideas;

75 (4) Assist, when asked by the pharmacy benefit manager,  
76 with the development of the pilot program created under subsection  
77 5 of this section with an understanding of information on the  
78 success and failures of other pilot programs across the country;

79 (5) Prepare a report at the end of each calendar year to be  
80 distributed to the general assembly and governor with a summary  
81 of the committee's progress and plans for the next calendar year,  
82 including a report on Missouri-based efforts to contribute to the  
83 establishment of national electronic prior authorization  
84 standards. Such annual report shall continue until such time as  
85 the NCPDP has established national electronic prior authorization  
86 standards or this section has expired, whichever is sooner. The  
87 first report shall be completed before January 1, 2013;

88 (6) Upon the adoption of national electronic prior  
89 authorization standards by the NCPDP, prepare a final report to  
90 be distributed to the general assembly and governor that identifies  
91 the appropriate Missouri administrative regulations, if any, that  
92 will need to be promulgated by the department of insurance,  
93 financial institutions and professional registration, in order to  
94 make those standards effective as soon as practically possible, and  
95 advise the general assembly and governor if there are any  
96 legislative actions necessary to the furtherance of that end.

97 5. The department of insurance, financial institutions and  
98 professional registration and the Missouri electronic prior  
99 authorization committee shall recruit a Missouri-based pharmacy  
100 benefits manager doing business nationally to volunteer to conduct  
101 an electronic prior authorization pilot program in Missouri. The  
102 pharmacy benefits manager conducting the pilot program shall  
103 ensure that there are adequate Missouri licensed physicians and  
104 an electronic prior authorization vendor capable and willing to  
105 participate in a Missouri-based pilot program. Such pilot program  
106 established under this section shall be operational by January 1,  
107 2014. The department and the committee may provide advice or

108 assistance to the pharmacy benefit manager conducting the pilot  
109 program but shall not maintain control or lead with the direction  
110 of the pilot program.

111 6. Pursuant to section 23.253 of the Missouri sunset act:

112 (1) The provisions of the new program authorized under  
113 this section shall sunset automatically six years after August 28,  
114 2012, unless reauthorized by an act of the general assembly; and

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

118 (3) This section shall terminate on September first of the  
119 calendar year immediately following the calendar year in which the  
120 program authorized under this section is sunset.]

121 EXPLANATION: THIS SECTION EXPIRED 12-31-16.

[476.1000. All courts that require mandatory electronic  
2 filing shall accept, file, and docket a notice of entry of appearance  
3 filed by an attorney in a criminal case if such filing does not exceed  
4 one page in length and was sent by fax or regular mail. The  
5 provisions of this section shall expire on December 31, 2016.]

6 EXPLANATION: AUTHORIZATION FOR THE THREE-YEAR PILOT PROJECT  
7 EXPIRED 12-31-15.

[559.117. 1. The director of the department of corrections  
2 is authorized to establish, as a three-year pilot program, a mental  
3 health assessment process.

4 2. Only upon a motion filed by the prosecutor in a criminal  
5 case, the judge who is hearing the criminal case in a participating  
6 county may request that an offender be placed in the department  
7 of corrections for one hundred twenty days for a mental health  
8 assessment and for treatment if it appears that the offender has a  
9 mental disorder or mental illness such that the offender may  
10 qualify for probation including community psychiatric  
11 rehabilitation (CPR) programs and such probation is appropriate  
12 and not inconsistent with public safety. Before the judge rules  
13 upon the motion, the victim shall be given notice of such motion  
14 and the opportunity to be heard. Upon recommendation of the  
15 court, the department shall determine the offender's eligibility for

16 the mental health assessment process.

17 3. Following this assessment and treatment period, an  
18 assessment report shall be sent to the sentencing court and the  
19 sentencing court may, if appropriate, release the offender on  
20 probation. The offender shall be supervised on probation by a state  
21 probation and parole officer, who shall work cooperatively with the  
22 department of mental health to enroll eligible offenders in  
23 community psychiatric rehabilitation (CPR) programs.

24 4. Notwithstanding any other provision of law, probation  
25 shall not be granted under this section to offenders who:

26 (1) Have been found guilty of, or plead guilty to, murder in  
27 the second degree under section 565.021;

28 (2) Have been found guilty of, or plead guilty to, rape in the  
29 first degree under section 566.030 or forcible rape under section  
30 566.030 as it existed prior to August 28, 2013;

31 (3) Have been found guilty of, or plead guilty to, statutory  
32 rape in the first degree under section 566.032;

33 (4) Have been found guilty of, or plead guilty to, sodomy in  
34 the first degree under section 566.060 or forcible sodomy under  
35 section 566.060 as it existed prior to August 28, 2013;

36 (5) Have been found guilty of, or plead guilty to, statutory  
37 sodomy in the first degree under section 566.062;

38 (6) Have been found guilty of, or plead guilty to, child  
39 molestation in the first degree under section 566.067 when  
40 classified as a class A felony;

41 (7) Have been found to be a predatory sexual offender under  
42 section 558.018; or

43 (8) Have been found guilty of, or plead guilty to, any offense  
44 for which there exists a statutory prohibition against either  
45 probation or parole.

46 5. At the end of the three-year pilot, the director of the  
47 department of corrections and the director of the department of  
48 mental health shall jointly submit recommendations to the  
49 governor and to the general assembly by December 31, 2015, on  
50 whether to expand the process statewide.]

51 EXPLANATION: THIS SECTION SUNSET 10-12-16. NOTE: A SUNSET

52 REVIEW REPORT ON THIS SECTION WAS VOTED ON BY THE JOINT  
53 COMMITTEE ON LEGISLATIVE RESEARCH ON 9-16-15.

[620.1910. 1. This section shall be known and may be cited  
2 as the "Manufacturing Jobs Act".

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

4 (1) "Approval", a document submitted by the department to  
5 the qualified manufacturing company or qualified supplier that  
6 states the benefits that may be provided under this section;

7 (2) "Capital investment", expenditures made by a qualified  
8 manufacturing company to retool or reconfigure a manufacturing  
9 facility directly related to the manufacturing of a new product or  
10 the expansion or modification of the manufacture of an existing  
11 product;

12 (3) "County average wage", the same meaning as such term  
13 is defined in section 620.1878;

14 (4) "Department", the department of economic development;

15 (5) "Facility", a building or buildings located in Missouri at  
16 which the qualified manufacturing company manufactures a  
17 product;

18 (6) "Full-time job", a job for which a person is compensated  
19 for an average of at least thirty-five hours per week for a  
20 twelve-month period, and one for which the qualified  
21 manufacturing company or qualified supplier offers health  
22 insurance and pays at least fifty percent of such insurance  
23 premiums;

24 (7) "NAICS industry classification", the most recent edition  
25 of the North American Industry Classification System as prepared  
26 by the Executive Office of the President, Office of Management and  
27 Budget;

28 (8) "New job", the same meaning as such term is defined in  
29 section 620.1878;

30 (9) "New product", a new model or line of a manufactured  
31 good that has not been manufactured in Missouri by the qualified  
32 manufacturing company at any time prior to the date of the notice  
33 of intent, or an existing brand, model, or line of a manufactured  
34 good that is redesigned with more than seventy-five percent new

- 35 exterior body parts and incorporates new powertrain options;
- 36 (10) "Notice of intent", a form developed by the department,  
37 completed by the qualified manufacturing company or qualified  
38 supplier and submitted to the department which states the  
39 qualified manufacturing company's or qualified supplier's intent to  
40 create new jobs or retain current jobs and make additional capital  
41 investment, as applicable, and request benefits under this  
42 section. The notice of intent shall specify the minimum number of  
43 such new or retained jobs and the minimum amount of such capital  
44 investment;
- 45 (11) "Qualified manufacturing company", a business with a  
46 NAICS code of 33611 that:
- 47 (a) Manufactures goods at a facility in Missouri;
- 48 (b) In the case of the manufacture of a new product,  
49 commits to make a capital investment of at least seventy-five  
50 thousand dollars per retained job within no more than two years of  
51 the date the qualified manufacturing company begins to retain  
52 withholding tax under this section, or in the case of the  
53 modification or expansion of the manufacture of an existing  
54 product, commits to make a capital investment of at least fifty  
55 thousand dollars per retained job within no more than two years of  
56 the date the qualified manufacturing company begins to retain  
57 withholding tax under this section;
- 58 (c) Manufactures a new product or has commenced making  
59 capital improvements to the facility necessary for the  
60 manufacturing of such new product, or modifies or expands the  
61 manufacture of an existing product or has commenced making  
62 capital improvements to the facility necessary for the modification  
63 or expansion of the manufacture of such existing product; and
- 64 (d) Continues to meet the requirements of paragraphs (a)  
65 to (c) of this subdivision for the withholding period;
- 66 (12) "Qualified supplier", a manufacturing company that:
- 67 (a) Attests to the department that it derives more than ten  
68 percent of the total annual sales of the company from sales to a  
69 qualified manufacturing company;
- 70 (b) Adds five or more new jobs;



71 (c) Has an average wage, as defined in section 135.950, for  
72 such new jobs that are equal to or exceed the lower of the county  
73 average wage for Missouri as determined by the department using  
74 NAICS industry classifications, but not lower than sixty percent of  
75 the statewide average wage; and

76 (d) Provides health insurance for all full-time jobs and pays  
77 at least fifty percent of the premiums of such insurance;

78 (13) "Retained job", the number of full-time jobs of persons  
79 employed by the qualified manufacturing company located at the  
80 facility that existed as of the last working day of the month  
81 immediately preceding the month in which notice of intent is  
82 submitted;

83 (14) "Statewide average wage", an amount equal to the  
84 quotient of the sum of the total gross wages paid for the  
85 corresponding four calendar quarters divided by the average  
86 annual employment for such four calendar quarters, which shall be  
87 computed using the Quarterly Census of Employment and Wages  
88 Data for All Private Ownership Businesses in Missouri, as  
89 published by the Bureau of Labor Statistics of the United States  
90 Department of Labor;

91 (15) "Withholding period", the seven- or ten-year period in  
92 which a qualified manufacturing company may receive benefits  
93 under this section;

94 (16) "Withholding tax", the same meaning as such term is  
95 defined in section 620.1878.

96 3. The department shall respond within thirty days to a  
97 qualified manufacturing company or a qualified supplier who  
98 provides a notice of intent with either an approval or a rejection of  
99 the notice of intent. Failure to respond on behalf of the  
100 department shall result in the notice of intent being deemed an  
101 approval for the purposes of this section.

102 4. A qualified manufacturing company that manufactures  
103 a new product may, upon the department's approval of a notice of  
104 intent and the execution of an agreement that meets the  
105 requirements of subsection 9 of this section, but no earlier than  
106 January 1, 2012, retain one hundred percent of the withholding tax

107 from full-time jobs at the facility for a period of ten years. A  
108 qualified manufacturing company that modifies or expands the  
109 manufacture of an existing product may, upon the department's  
110 approval of a notice of intent and the execution of an agreement  
111 that meets the requirements of subsection 9 of this section, but no  
112 earlier than January 1, 2012, retain fifty percent of the withholding  
113 tax from full-time jobs at the facility for a period of seven  
114 years. Except as otherwise allowed under subsection 7 of this  
115 section, the commencement of the withholding period may be  
116 delayed by no more than twenty-four months after execution of the  
117 agreement at the option of the qualified manufacturing  
118 company. Such qualified manufacturing company shall be eligible  
119 for participation in the Missouri quality jobs program in sections  
120 620.1875 to 620.1890 for any new jobs for which it does not retain  
121 withholding tax under this section, provided all qualifications for  
122 such program are met.

123 5. A qualified supplier may, upon approval of a notice of  
124 intent by the department, retain all withholding tax from new jobs  
125 for a period of three years from the date of approval of the notice  
126 of intent or for a period of five years if the supplier pays wages for  
127 the new jobs equal to or greater than one hundred twenty percent  
128 of county average wage. Notwithstanding any other provision of  
129 law to the contrary, a qualified supplier that is awarded benefits  
130 under this section shall not receive any tax credit or exemption or  
131 be entitled to retain withholding under sections 100.700 to 100.850,  
132 sections 135.100 to 135.150, sections 135.200 to 135.286, section  
133 135.535, sections 135.900 to 135.906, sections 135.950 to 135.970,  
134 or section 620.1881 for the same jobs.

135 6. Notwithstanding any other provision of law to the  
136 contrary, the maximum amount of withholding tax that may be  
137 retained by any one qualified manufacturing company under this  
138 section shall not exceed ten million dollars per calendar year. The  
139 aggregate amount of withholding tax that may be retained by all  
140 qualified manufacturing companies under this section shall not  
141 exceed fifteen million dollars per calendar year.

142 7. Notwithstanding any other provision of law to the

143 contrary, any qualified manufacturing company that is awarded  
144 benefits under this section shall not simultaneously receive tax  
145 credits or exemptions under sections 100.700 to 100.850, sections  
146 135.100 to 135.150, sections 135.200 to 135.286, section 135.535, or  
147 sections 135.900 to 135.906 for the jobs created or retained or  
148 capital improvement which qualified for benefits under this  
149 section. The benefits available to the qualified manufacturing  
150 company under any other state programs for which the qualified  
151 manufacturing company is eligible and which utilize withholding  
152 tax from the jobs at the facility shall first be credited to the other  
153 state program before the applicable withholding period for benefits  
154 provided under this section shall begin. These other state  
155 programs include, but are not limited to, the Missouri works jobs  
156 training program under sections 620.800 to 620.809, the real  
157 property tax increment allocation redevelopment act under sections  
158 99.800 to 99.865, or the Missouri downtown and rural economic  
159 stimulus act under sections 99.915 to 99.980. If any qualified  
160 manufacturing company also participates in the Missouri works  
161 jobs training program in sections 620.800 to 620.809, such qualified  
162 manufacturing company shall not retain any withholding tax that  
163 has already been allocated for use in the new jobs training  
164 program. Any qualified manufacturing company or qualified  
165 supplier that is awarded benefits under this program and  
166 knowingly hires individuals who are not allowed to work legally in  
167 the United States shall immediately forfeit such benefits and shall  
168 repay the state an amount equal to any withholding taxes already  
169 retained. Subsection 5 of section 285.530 shall not apply to  
170 qualified manufacturing companies or qualified suppliers which are  
171 awarded benefits under this program.

172 8. The department may promulgate rules to implement the  
173 provisions of this section. Any rule or portion of a rule, as that  
174 term is defined in section 536.010, that is created under the  
175 authority delegated in this section shall become effective only if it  
176 complies with and is subject to all of the provisions of chapter 536  
177 and, if applicable, section 536.028. This section and chapter 536  
178 are nonseverable and if any of the powers vested with the general

179 assembly under chapter 536 to review, to delay the effective date,  
180 or to disapprove and annul a rule are subsequently held  
181 unconstitutional, then the grant of rulemaking authority and any  
182 rule proposed or adopted after the effective date of this section  
183 shall be invalid and void.

184 9. Within six months of completion of a notice of intent  
185 required under this section, the qualified manufacturing company  
186 shall enter into an agreement with the department that  
187 memorializes the content of the notice of intent, the requirements  
188 of this section, and the consequences for failing to meet such  
189 requirements, which shall include the following:

190 (1) If the amount of capital investment made by the  
191 qualified manufacturing company is not made within the two-year  
192 period provided for such investment, the qualified manufacturing  
193 company shall immediately cease retaining any withholding tax  
194 with respect to jobs at the facility and it shall forfeit all rights to  
195 retain withholding tax for the remainder of the withholding period.  
196 In addition, the qualified manufacturing company shall repay any  
197 amounts of withholding tax retained plus interest of five percent  
198 per annum. However, in the event that such capital investment  
199 shortfall is due to economic conditions beyond the control of the  
200 qualified manufacturing company, the director may, at the  
201 qualified manufacturing company's request, suspend rather than  
202 terminate its privilege to retain withholding tax under this section  
203 for up to three years. Any such suspension shall extend the  
204 withholding period by the same amount of time. No more than one  
205 such suspension shall be granted to a qualified manufacturing  
206 company;

207 (2) If the qualified manufacturing company discontinues the  
208 manufacturing of the new product and does not replace it with a  
209 subsequent or additional new product manufactured at the facility  
210 at any time during the withholding period, the qualified  
211 manufacturing company shall immediately cease retaining any  
212 withholding tax with respect to jobs at that facility and it shall  
213 forfeit all rights to retain withholding tax for the remainder of the  
214 withholding period.

215 10. Prior to March first each year, the department shall  
216 provide a report to the general assembly including the names of  
217 participating qualified manufacturing companies or qualified  
218 suppliers, location of such companies or suppliers, the annual  
219 amount of benefits provided, the estimated net state fiscal impact  
220 including direct and indirect new state taxes derived, and the  
221 number of new jobs created or jobs retained.

222 11. Under section 23.253 of the Missouri sunset act:

223 (1) The provisions of the new program authorized under  
224 this section shall automatically sunset October 12, 2016, unless  
225 reauthorized by an act of the general assembly; and

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

229 (3) This section shall terminate on September first of the  
230 calendar year immediately following the calendar year in which the  
231 program authorized under this section is sunset.]

232 EXPLANATION: THIS SECTION EXPIRED 8-31-18.

2 [633.420. 1. For the purposes of this section, the term  
3 "dyslexia" means a disorder that is neurological in origin,  
4 characterized by difficulties with accurate and fluent word  
5 recognition, and poor spelling and decoding abilities that typically  
6 result from a deficit in the phonological component of language,  
7 often unexpected in relation to other cognitive abilities and the  
8 provision of effective classroom instruction, and of which secondary  
9 consequences may include problems in reading comprehension and  
10 reduced reading experience that can impede growth of vocabulary  
11 and background knowledge. Nothing in this section shall prohibit  
12 a district from assessing students for dyslexia and offering students  
13 specialized reading instruction if a determination is made that a  
14 student suffers from dyslexia. Unless required by federal law,  
15 nothing in this definition shall require a student with dyslexia to  
16 be automatically determined eligible as a student with a  
17 disability. Nothing in this definition shall require a student with  
18 dyslexia to obtain an individualized education program (IEP)  
unless the student has otherwise met the federal conditions

19 necessary.

20 2. There is hereby created the "Legislative Task Force on  
21 Dyslexia". The joint committee on education shall provide technical  
22 and administrative support as required by the task force to fulfill  
23 its duties; any such support involving monetary expenses shall first  
24 be approved by the chairman of the joint committee on  
25 education. The task force shall meet at least quarterly and may  
26 hold meetings by telephone or video conference. The task force  
27 shall advise and make recommendations to the governor, joint  
28 committee on education, and relevant state agencies regarding  
29 matters concerning individuals with dyslexia, including education  
30 and other adult and adolescent services.

31 3. The task force shall be comprised of twenty-one members  
32 consisting of the following:

33 (1) Two members of the senate appointed by the president  
34 pro tempore of the senate, with one member appointed from the  
35 minority party and one member appointed from the majority party;

36 (2) Two members of the house of representatives appointed  
37 by the speaker of the house of representatives, with one member  
38 appointed from the minority party and one member appointed from  
39 the majority party;

40 (3) The commissioner of education, or his or her designee;

41 (4) One representative from an institution of higher  
42 education located in this state with specialized expertise in  
43 dyslexia and reading instruction;

44 (5) A representative from a state teachers association or the  
45 Missouri National Education Association;

46 (6) A representative from the International Dyslexia  
47 Association of Missouri;

48 (7) A representative from Decoding Dyslexia of Missouri;

49 (8) A representative from the Missouri Association of  
50 Elementary School Principals;

51 (9) A representative from the Missouri Council of  
52 Administrators of Special Education;

53 (10) A professional licensed in the state of Missouri with  
54 experience diagnosing dyslexia including, but not limited to, a

- 55 licensed psychologist, school psychologist, or neuropsychologist;
- 56 (11) A speech-language pathologist with training and  
57 experience in early literacy development and effective  
58 research-based intervention techniques for dyslexia, including an  
59 Orton-Gillingham remediation program recommended by the  
60 Missouri Speech-Language Hearing Association;
- 61 (12) A certified academic language therapist recommended  
62 by the Academic Language Therapy Association who is a resident  
63 of this state;
- 64 (13) A representative from an independent private provider  
65 or nonprofit organization serving individuals with dyslexia;
- 66 (14) An assistive technology specialist with expertise in  
67 accessible print materials and assistive technology used by  
68 individuals with dyslexia recommended by the Missouri assistive  
69 technology council;
- 70 (15) One private citizen who has a child who has been  
71 diagnosed with dyslexia;
- 72 (16) One private citizen who has been diagnosed with  
73 dyslexia;
- 74 (17) A representative of the Missouri State Council of the  
75 International Reading Association;
- 76 (18) A pediatrician with knowledge of dyslexia; and
- 77 (19) A member of the Missouri School Boards' Association.
- 78 4. The members of the task force, other than the members  
79 from the general assembly and ex officio members, shall be  
80 appointed by the president pro tempore of the senate or the  
81 speaker of the house of representatives by September 1, 2016, by  
82 alternating appointments beginning with the president pro tempore  
83 of the senate. A chairperson shall be selected by the members of  
84 the task force. Any vacancy on the task force shall be filled in the  
85 same manner as the original appointment. Members shall serve on  
86 the task force without compensation.
- 87 5. The task force shall make recommendations for a  
88 statewide system for identification, intervention, and delivery of  
89 supports for students with dyslexia, including the development of  
90 resource materials and professional development activities. These

91 recommendations shall be included in a report to the governor and  
92 joint committee on education and shall include findings and  
93 proposed legislation and shall be made available no longer than  
94 twelve months from the task force's first meeting.

95 6. The recommendations and resource materials developed  
96 by the task force shall:

97 (1) Identify valid and reliable screening and evaluation  
98 assessments and protocols that can be used and the appropriate  
99 personnel to administer such assessments in order to identify  
100 children with dyslexia or the characteristics of dyslexia as part of  
101 an ongoing reading progress monitoring system, multitiered system  
102 of supports, and special education eligibility determinations in  
103 schools;

104 (2) Recommend an evidence-based reading instruction, with  
105 consideration of the National Reading Panel Report and  
106 Orton-Gillingham methodology principles for use in all Missouri  
107 schools, and intervention system, including a list of effective  
108 dyslexia intervention programs, to address dyslexia or  
109 characteristics of dyslexia for use by schools in multitiered systems  
110 of support and for services as appropriate for special education  
111 eligible students;

112 (3) Develop and implement preservice and in-service  
113 professional development activities to address dyslexia  
114 identification and intervention, including utilization of accessible  
115 print materials and assistive technology, within degree programs  
116 such as education, reading, special education, speech-language  
117 pathology, and psychology;

118 (4) Review teacher certification and professional  
119 development requirements as they relate to the needs of students  
120 with dyslexia;

121 (5) Examine the barriers to accurate information on the  
122 prevalence of students with dyslexia across the state and  
123 recommend a process for accurate reporting of demographic data;  
124 and

125 (6) Study and evaluate current practices for diagnosing,  
126 treating, and educating children in this state and examine how



127 current laws and regulations affect students with dyslexia in order  
128 to present recommendations to the governor and the joint  
129 committee on education.

130 7. The task force shall hire or contract for hire specialist  
131 services to support the work of the task force as necessary with  
132 appropriations made by the general assembly to the joint  
133 committee on education for that purpose or from other available  
134 funding.

135 8. The task force authorized under this section shall expire  
136 on August 31, 2018, unless reauthorized by an act of the general  
137 assembly.]

138 EXPLANATION: THIS SECTION EXPIRED 12-31-92 (1990 H.B. 1653, § A).

2 [640.030. The department of natural resources and the  
3 department of conservation shall develop an interagency plan and  
4 execute an interagency agreement regarding the application and  
5 use of any portion of funds authorized for the respective  
6 departments by provisions of the Constitution, taking into  
7 consideration the purposes for which the voters approved the funds  
8 and the extent to which expenditures under the provisions of  
9 sections 252.300 to 252.333, or sections 620.552 to 620.574,  
10 accomplish such purposes. Such interagency agreements shall not  
11 be subject to legislative review or oversight and are not rules  
12 within the meaning of any law providing for review by the general  
13 assembly or any committee thereof.]

14 EXPLANATION: SECTIONS 660.500 TO 660.513 WERE REPEALED IN  
15 1995. THERE IS SUFFICIENT RULEMAKING AUTHORITY IN CHAPTER 210,  
16 MAKING THIS SECTION UNNECESSARY.

2 [660.512. No rule or portion of a rule promulgated under  
3 the authority of chapter 210 shall become effective unless it has  
4 been promulgated pursuant to the provisions of section 536.024.]

✓