

# SENATE BILL NO. 423

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAY.

1846S.01I

ADRIANE D. CROUSE, Secretary

## AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to the relocation of call centers from the state of Missouri, with penalty provisions.

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

Section A. Chapter 34, RSMo, is amended by adding thereto  
2 one new section, to be known as section 34.500, to read as  
3 follows:

**34.500. 1. As used in this section, the following  
2 terms and phrases mean:**

3 (1) "Agency", any state department, agency, or  
4 division;

5 (2) "Commissioner", the commissioner of administration;

6 (3) "Employer", any business enterprise that employs,  
7 for the purpose of customer service or back-office  
8 operations:

9 (a) Fifty or more employees, excluding part-time  
10 employees; or

11 (b) Fifty or more employees who in the aggregate work  
12 at least one thousand five hundred hours per week, exclusive  
13 of hours of overtime;

14 (4) "Part-time employee", an employee who is employed  
15 for an average of fewer than twenty hours per week or who  
16 has been employed for fewer than six of the twelve months  
17 preceding the date on which notice is required.

18           2.   (1)   An employer shall notify the commissioner at  
19   least one hundred twenty days prior to relocating a call  
20   center, or one or more facilities or operating units within  
21   a call center comprising at least thirty percent of the call  
22   center's, or operating unit's, total volume when measured  
23   against the previous twelve month average call volume of  
24   operations or substantially similar operations, from the  
25   state of Missouri to a foreign country.

26           (2)   The commissioner shall fine an employer that  
27   violates the provisions of this subsection in an amount not  
28   to exceed ten thousand dollars for each day of such  
29   violation, except that the commissioner may reduce such  
30   amount for just cause shown.

31           3.   (1)   The commissioner shall compile a semiannual  
32   list of all employers that relocate a call center, or one or  
33   more facilities or operating units within a call center  
34   comprising at least thirty percent of the call center's  
35   total volume of operations, from the state of Missouri to a  
36   foreign country.

37           (2)   The commissioner shall distribute the list  
38   required in this section to all state agencies.

39           4.   (1)   Except as provided in subdivision (2) of this  
40   subsection and notwithstanding any other provision of law to  
41   the contrary, an employer that appears on the list described  
42   in subdivision (1) of subsection 3 of this section shall be  
43   ineligible for any direct or indirect state grants, state  
44   guaranteed loans or tax benefit for five years after the  
45   date such list is published.

46           (2)   Except as provided in subdivision (3) of this  
47   subsection and notwithstanding any other provision of law to  
48   the contrary, an employer that appears on the list described  
49   in subdivision (1) of subsection 3 of this section shall

50 remit the unamortized value of any grant, guaranteed loans,  
51 tax benefits, or any other governmental support it has  
52 previously received to the commissioner.

53 (3) The commissioner in consultation with the  
54 appropriate agency providing a loan or grant, may waive the  
55 ineligibility requirement provided under subdivision (1) of  
56 this subsection if the employer applying for such loan or  
57 grant demonstrates that a lack of such loan or grant would:

- 58 (a) Result in substantial job loss in this state; or  
59 (b) Harm the environment.

60 5. The director of each state department shall ensure  
61 that call centers that perform state business be performed  
62 by state contractors or their agents or subcontractors  
63 entirely within the state. State contractors who currently  
64 perform such work outside the state of Missouri shall have  
65 until August 28, 2023, to comply with this subsection,  
66 provided that if any such contractors add customer service  
67 employees who will perform work on such contracts, those new  
68 employees shall immediately be employed within this state.

69 6. No provision of this section shall be construed to  
70 permit withholding or denial of payments, compensation, or  
71 benefits under any other state law to workers employed by  
72 employers that relocate to a foreign country.

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