

SENATE REVISION BILL NO. 216

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOUGH.

0856S.01I

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal sections 32.088, 67.5125, 99.1205, 103.175, 103.178, 104.403, 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, 161.825, 161.1055, 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, 208.244, 208.627, 210.154, 210.1030, 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, 260.955, 260.960, 260.965, 288.501, 319.140, 320.093, 332.304, 334.153, 338.320, 338.700, 338.710, 393.1073, 414.407, 454.433, 454.470, 454.490, 454.849, 476.1000, 488.426, 559.117, 620.570, 620.1910, 620.2100, 630.717, 633.420, 640.030, and 660.512, RSMo, and section 167.910 as enacted by house bill no. 1606, ninety-ninth general assembly, second regular session, and section 167.910 as enacted by house bill no. 1415, ninety-ninth general assembly, second regular session, and to enact in lieu thereof fifteen 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, 99.1205, 103.175,
2 103.178, 104.403, 104.404, 105.721, 130.034, 135.313, 135.710,
3 135.750, 135.980, 136.450, 143.173, 143.1008, 143.1009,
4 143.1013, 143.1014, 143.1017, 160.405, 160.500, 161.825,
5 161.1055, 163.024, 171.034, 172.287, 173.236, 173.680,
6 173.2510, 178.697, 184.384, 190.450, 191.425, 191.743, 191.950,
7 192.926, 199.020, 208.053, 208.169, 208.244, 208.627, 210.154,
8 210.1030, 215.263, 217.147, 260.900, 260.905, 260.910, 260.915,

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

9 260.920, 260.925, 260.930, 260.935, 260.940, 260.945, 260.950,
10 260.955, 260.960, 260.965, 288.501, 319.140, 320.093, 332.304,
11 334.153, 338.320, 338.700, 338.710, 393.1073, 414.407, 454.433,
12 454.470, 454.490, 454.849, 476.1000, 488.426, 559.117, 620.570,
13 620.1910, 620.2100, 630.717, 633.420, 640.030, and 660.512,
14 RSMo, and section 167.910 as enacted by house bill no. 1606,
15 ninety-ninth general assembly, second regular session, and
16 section 167.910 as enacted by house bill no. 1415, ninety-ninth
17 general assembly, second regular session, are repealed and
18 fifteen new sections enacted in lieu thereof, to be known as
19 sections 105.721, 130.034, 160.405, 160.500, 173.2510, 178.697,
20 208.244, 332.304, 414.407, 454.433, 454.470, 454.490, 488.426,
21 620.570, and 630.717, to read as follows:

105.721. 1. The commissioner of administration may,
2 in his discretion, direct that any or all of the moneys
3 appropriated to the state legal expense fund be expended to
4 procure one or more policies of insurance to insure against
5 all or any portion of the potential liabilities of the state
6 of Missouri or its agencies, officers, and employees.

7 2. Until July 1, 1996, the commissioner of
8 administration may procure one or more policies of insurance
9 or reinsurance to insure against all potential losses from
10 liabilities incurred by the state legal expense fund under
11 paragraphs (d) and (e) of subdivision (3) of subsection 2 of
12 section 105.711. [On or before January 1, 1996, the
13 commissioner of administration shall prepare and distribute
14 a report regarding the cost effectiveness of insuring
15 against potential losses to the state under paragraphs (d)
16 and (e) of subdivision (3) of subsection 2 of section
17 105.711, by the direct purchase of an insurance policy or
18 policies as compared to self-insuring against such losses
19 through appropriations to the state legal expense fund under

20 section 105.711. The report shall be submitted to the
21 governor, the speaker of the house of representatives, the
22 president pro tempore of the senate, and upon request to any
23 member of the general assembly.]

24 3. After consultation with the state courts
25 administrator, the commissioner of administration shall
26 procure such surety bonds as are required by statute and
27 such surety bonds as he deems necessary to protect the state
28 against loss from the acts or omissions of any person within
29 the judiciary that receives compensation from the state. No
30 other bond for such person shall be required for the
31 protection of the state. A copy of any bond procured
32 pursuant to this section shall be filed with the secretary
33 of state.

EXPLANATION: The report required under subsection 2 of this section was due by 1-01-1996.

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

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

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

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

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

15 (4) The return of any contribution to the person who
16 made the contribution to the candidate or holder of elective
17 office;

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

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

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

29 (8) Except when such candidate, former candidate or
30 holder of elective office dies while the committee remains
31 in existence, the committee may make an unconditional gift
32 to a fund established for the benefit of the spouse and
33 children of the candidate, former candidate or holder of
34 elective office. The provisions of this subdivision shall
35 expire October 1, 1997].

36 3. Upon the death of the candidate, former candidate
37 or holder of elective office who received such
38 contributions, all contributions shall be disposed of
39 according to this section and any funds remaining after
40 final settlement of the candidate's decedent's estate, or if
41 no estate is opened, then twelve months after the
42 candidate's death, will escheat to the state of Missouri to
43 be deposited in the general revenue fund.

44 4. No contributions, as defined in section 130.011,
45 received by a candidate, former candidate or holder of
46 elective office shall be used to make restitution payments

47 ordered of such individual by a court of law or for the
48 payment of any fine resulting from conviction of a violation
49 of any local, state or federal law.

50 5. Committees described in subdivision (17) of section
51 130.011 shall make expenditures only for the purpose of
52 determining whether an individual will be a candidate. Such
53 expenditures include polling information, mailings, personal
54 appearances, telephone expenses, office and travel expenses
55 but may not include contributions to other candidate
56 committees.

57 6. Any moneys in the exploratory committee fund may be
58 transferred to the candidate committee upon declaration of
59 candidacy for the position being explored. Such funds shall
60 be included for the purposes of reporting and limitation.
61 In the event that candidacy is not declared for the position
62 being explored, the remaining exploratory committee funds
63 shall be returned to the contributors on a pro rata basis.
64 In no event shall the amount returned exceed the amount
65 given by each contributor nor be less than ten dollars.

66 7. Funds held in candidate committees, campaign
67 committees, debt service committees, and exploratory
68 committees shall be liquid such that these funds shall be
69 readily available for the specific and limited purposes
70 allowed by law. These funds may be invested only in
71 short-term treasury instruments or short-term bank
72 certificates with durations of one year or less, or that
73 allow the removal of funds at any time without any
74 additional financial penalty other than the loss of interest
75 income. Continuing committees, political party committees,
76 and other committees such as out-of-state committees not
77 formed for the benefit of any single candidate or ballot
78 issue shall not be subject to the provisions of this

79 subsection. This subsection shall not be interpreted to
80 restrict the placement of funds in an interest-bearing
81 checking account.

EXPLANATION: Subdivision (8) of subsection 2 of this
section expired 10-01-1997.

160.405. 1. A person, group or organization seeking
2 to establish a charter school shall submit the proposed
3 charter, as provided in this section, to a sponsor. If the
4 sponsor is not a school board, the applicant shall give a
5 copy of its application to the school board of the district
6 in which the charter school is to be located and to the
7 state board of education, within five business days of the
8 date the application is filed with the proposed sponsor.
9 The school board may file objections with the proposed
10 sponsor, and, if a charter is granted, the school board may
11 file objections with the state board of education. The
12 charter shall include a legally binding performance contract
13 that describes the obligations and responsibilities of the
14 school and the sponsor as outlined in sections 160.400 to
15 160.425 and section 167.349 and shall address the following:
16 (1) A mission and vision statement for the charter
17 school;
18 (2) A description of the charter school's
19 organizational structure and bylaws of the governing body,
20 which will be responsible for the policy, financial
21 management, and operational decisions of the charter school,
22 including the nature and extent of parental, professional
23 educator, and community involvement in the governance and
24 operation of the charter school;
25 (3) A financial plan for the first three years of
26 operation of the charter school including provisions for
27 annual audits;

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

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

33 (6) The school's calendar of operation, which shall
34 include at least the equivalent of a full school term as
35 defined in section 160.011;

36 (7) A description of the charter school's pupil
37 performance standards and academic program performance
38 standards, which shall meet the requirements of subdivision
39 (6) of subsection 4 of this section. The charter school
40 program shall be designed to enable each pupil to achieve
41 such standards and shall contain a complete set of
42 indicators, measures, metrics, and targets for academic
43 program performance, including specific goals on graduation
44 rates and standardized test performance and academic growth;

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

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

49 (10) Procedures, consistent with the Missouri
50 financial accounting manual, for monitoring the financial
51 accountability of the charter, which shall meet the
52 requirements of subdivision (4) of subsection 4 of this
53 section;

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

57 (12) A description of the charter school's policies on
58 student discipline and student admission, which shall
59 include a statement, where applicable, of the validity of

60 attendance of students who do not reside in the district but
61 who may be eligible to attend under the terms of judicial
62 settlements and procedures that ensure admission of students
63 with disabilities in a nondiscriminatory manner;

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

66 (14) A description of the agreement and time frame for
67 implementation between the charter school and the sponsor as
68 to when a sponsor shall intervene in a charter school, when
69 a sponsor shall revoke a charter for failure to comply with
70 subsection 8 of this section, and when a sponsor will not
71 renew a charter under subsection 9 of this section;

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

75 (a) Orderly transition of student records to new
76 schools and archival of student records;

77 (b) Archival of business operation and transfer or
78 repository of personnel records;

79 (c) Submission of final financial reports;

80 (d) Resolution of any remaining financial obligations;

81 (e) Disposition of the charter school's assets upon
82 closure; and

83 (f) A notification plan to inform parents or guardians
84 of students, the local school district, the retirement
85 system in which the charter school's employees participate,
86 and the state board of education within thirty days of the
87 decision to close;

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

91 (17) For all new or revised charters, procedures to be
92 used upon closure of the charter school requiring that
93 unobligated assets of the charter school be returned to the
94 department of elementary and secondary education for their
95 disposition, which upon receipt of such assets shall return
96 them to the local school district in which the school was
97 located, the state, or any other entity to which they would
98 belong.

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

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

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

110 (2) A charter may be approved when the sponsor
111 determines that the requirements of this section are met,
112 determines that the applicant is sufficiently qualified to
113 operate a charter school, and that the proposed charter is
114 consistent with the sponsor's charter sponsorship goals and
115 capacity. The sponsor's decision of approval or denial
116 shall be made within ninety days of the filing of the
117 proposed charter;

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

122 (4) If a proposed charter is denied by a sponsor, the
123 proposed charter may be submitted to the state board of
124 education, along with the sponsor's written reasons for its
125 denial. If the state board determines that the applicant
126 meets the requirements of this section, that the applicant
127 is sufficiently qualified to operate the charter school, and
128 that granting a charter to the applicant would be likely to
129 provide educational benefit to the children of the district,
130 the state board may grant a charter and act as sponsor of
131 the charter school. The state board shall review the
132 proposed charter and make a determination of whether to deny
133 or grant the proposed charter within sixty days of receipt
134 of the proposed charter, provided that any charter to be
135 considered by the state board of education under this
136 subdivision shall be submitted no later than March first
137 prior to the school year in which the charter school intends
138 to begin operations. The state board of education shall
139 notify the applicant in writing as the reasons for its
140 denial, if applicable; and

141 (5) The sponsor of a charter school shall give
142 priority to charter school applicants that propose a school
143 oriented to high-risk students and to the reentry of
144 dropouts into the school system. If a sponsor grants three
145 or more charters, at least one-third of the charters granted
146 by the sponsor shall be to schools that actively recruit
147 dropouts or high-risk students as their student body and
148 address the needs of dropouts or high-risk students through
149 their proposed mission, curriculum, teaching methods, and
150 services. For purposes of this subsection, a "high-risk"
151 student is one who is at least one year behind in
152 satisfactory completion of course work or obtaining high
153 school credits for graduation, has dropped out of school, is

154 at risk of dropping out of school, needs drug and alcohol
155 treatment, has severe behavioral problems, has been
156 suspended from school three or more times, has a history of
157 severe truancy, is a pregnant or parenting teen, has been
158 referred for enrollment by the judicial system, is exiting
159 incarceration, is a refugee, is homeless or has been
160 homeless sometime within the preceding six months, has been
161 referred by an area school district for enrollment in an
162 alternative program, or qualifies as high risk under
163 department of elementary and secondary education
164 guidelines. Dropout shall be defined through the guidelines
165 of the school core data report. The provisions of this
166 subsection do not apply to charters sponsored by the state
167 board of education.

168 3. If a charter is approved by a sponsor, the charter
169 application shall be submitted to the state board of
170 education, along with a statement of finding by the sponsor
171 that the application meets the requirements of sections
172 160.400 to 160.425 and section 167.349 and a monitoring plan
173 under which the charter sponsor shall evaluate the academic
174 performance, including annual performance reports, of
175 students enrolled in the charter school. The state board of
176 education shall approve or deny a charter application within
177 sixty days of receipt of the application. The state board
178 of education may deny a charter on grounds that the
179 application fails to meet the requirements of sections
180 160.400 to 160.425 and section 167.349 or that a charter
181 sponsor previously failed to meet the statutory
182 responsibilities of a charter sponsor. Any denial of a
183 charter application made by the state board of education
184 shall be in writing and shall identify the specific failures
185 of the application to meet the requirements of sections

186 160.400 to 160.425 and section 167.349, and the written
187 denial shall be provided within ten business days to the
188 sponsor.

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

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

192 (2) Comply with laws and regulations of the state,
193 county, or city relating to health, safety, and state
194 minimum educational standards, as specified by the state
195 board of education, including the requirements relating to
196 student discipline under sections 160.261, 167.161, 167.164,
197 and 167.171, notification of criminal conduct to law
198 enforcement authorities under sections 167.115 to 167.117,
199 academic assessment under section 160.518, transmittal of
200 school records under section 167.020, the minimum amount of
201 school time required under section 171.031, and the employee
202 criminal history background check and the family care safety
203 registry check under section 168.133;

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

208 (4) Be financially accountable, use practices
209 consistent with the Missouri financial accounting manual,
210 provide for an annual audit by a certified public
211 accountant, publish audit reports and annual financial
212 reports as provided in chapter 165, provided that the annual
213 financial report may be published on the department of
214 elementary and secondary education's internet website in
215 addition to other publishing requirements, and provide
216 liability insurance to indemnify the school, its board,
217 staff and teachers against tort claims. A charter school

218 that receives local educational agency status under
219 subsection 6 of this section shall meet the requirements
220 imposed by the Elementary and Secondary Education Act for
221 audits of such agencies and comply with all federal audit
222 requirements for charters with local educational agency
223 status. For purposes of an audit by petition under section
224 29.230, a charter school shall be treated as a political
225 subdivision on the same terms and conditions as the school
226 district in which it is located. For the purposes of
227 securing such insurance, a charter school shall be eligible
228 for the Missouri public entity risk management fund pursuant
229 to section 537.700. A charter school that incurs debt shall
230 include a repayment plan in its financial plan;

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

234 (6) (a) Design a method to measure pupil progress
235 toward the pupil academic standards adopted by the state
236 board of education pursuant to section 160.514, establish
237 baseline student performance in accordance with the
238 performance contract during the first year of operation,
239 collect student performance data as defined by the annual
240 performance report throughout the duration of the charter to
241 annually monitor student academic performance, and to the
242 extent applicable based upon grade levels offered by the
243 charter school, participate in the statewide system of
244 assessments, comprised of the essential skills tests and the
245 nationally standardized norm-referenced achievement tests,
246 as designated by the state board pursuant to section
247 160.518, complete and distribute an annual report card as
248 prescribed in section 160.522, which shall also include a
249 statement that background checks have been completed on the

250 charter school's board members, and report to its sponsor,
251 the local school district, and the state board of education
252 as to its teaching methods and any educational innovations
253 and the results thereof. No charter school shall be
254 considered in the Missouri school improvement program review
255 of the district in which it is located for the resource or
256 process standards of the program.

257 (b) For proposed high-risk or alternative charter
258 schools, sponsors shall approve performance measures based
259 on mission, curriculum, teaching methods, and services.
260 Sponsors shall also approve comprehensive academic and
261 behavioral measures to determine whether students are
262 meeting performance standards on a different time frame as
263 specified in that school's charter. Student performance
264 shall be assessed comprehensively to determine whether a
265 high-risk or alternative charter school has documented
266 adequate student progress. Student performance shall be
267 based on sponsor-approved comprehensive measures as well as
268 standardized public school measures. Annual presentation of
269 charter school report card data to the department of
270 elementary and secondary education, the state board, and the
271 public shall include comprehensive measures of student
272 progress.

273 (c) Nothing in this subdivision shall be construed as
274 permitting a charter school to be held to lower performance
275 standards than other public schools within a district;
276 however, the charter of a charter school may permit students
277 to meet performance standards on a different time frame as
278 specified in its charter. The performance standards for
279 alternative and special purpose charter schools that target
280 high-risk students as defined in subdivision (5) of
281 subsection 2 of this section shall be based on measures

282 defined in the school's performance contract with its
283 sponsors;

284 (7) Comply with all applicable federal and state laws
285 and regulations regarding students with disabilities,
286 including sections 162.670 to 162.710, the Individuals with
287 Disabilities Education Act (20 U.S.C. Section 1400) and
288 Section 504 of the Rehabilitation Act of 1973 (29 U.S.C.
289 Section 794) or successor legislation;

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

292 (a) Documentation that the applicant has provided a
293 copy of the application to the school board of the district
294 in which the charter school is to be located, except in
295 those circumstances where the school district is the sponsor
296 of the charter school; and

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

300 5. (1) Proposed or existing high-risk or alternative
301 charter schools may include alternative arrangements for
302 students to obtain credit for satisfying graduation
303 requirements in the school's charter application and
304 charter. Alternative arrangements may include, but not be
305 limited to, credit for off-campus instruction, embedded
306 credit, work experience through an internship arranged
307 through the school, and independent studies. When the state
308 board of education approves the charter, any such
309 alternative arrangements shall be approved at such time.

310 (2) The department of elementary and secondary
311 education shall conduct a study of any charter school
312 granted alternative arrangements for students to obtain
313 credit under this subsection after three years of operation

314 to assess student performance, graduation rates, educational
315 outcomes, and entry into the workforce or higher education.

316 6. The charter of a charter school may be amended at
317 the request of the governing body of the charter school and
318 on the approval of the sponsor. The sponsor and the
319 governing board and staff of the charter school shall
320 jointly review the school's performance, management and
321 operations during the first year of operation and then every
322 other year after the most recent review or at any point
323 where the operation or management of the charter school is
324 changed or transferred to another entity, either public or
325 private. The governing board of a charter school may amend
326 the charter, if the sponsor approves such amendment, or the
327 sponsor and the governing board may reach an agreement in
328 writing to reflect the charter school's decision to become a
329 local educational agency. In such case the sponsor shall
330 give the department of elementary and secondary education
331 written notice no later than March first of any year, with
332 the agreement to become effective July first. The
333 department may waive the March first notice date in its
334 discretion. The department shall identify and furnish a
335 list of its regulations that pertain to local educational
336 agencies to such schools within thirty days of receiving
337 such notice.

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

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

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

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

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

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

353 8. (1) (a) A sponsor's policies shall give schools
354 clear, adequate, evidence-based, and timely notice of
355 contract violations or performance deficiencies and mandate
356 intervention based upon findings of the state board of
357 education of the following:

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

362 b. The charter school's annual performance report
363 results are below the district's annual performance report
364 results based on the performance standards that are
365 applicable to the grade level configuration of both the
366 charter school and the district in which the charter school
367 is located in three of the last four school years; and

368 c. The charter school is identified as a persistently
369 lowest achieving school by the department of elementary and
370 secondary education.

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

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

376 b. A violation of the law or the public trust that
377 imperils students or public funds.

378 (c) A sponsor shall revoke a charter or take other
379 appropriate remedial action, which may include placing the
380 charter school on probationary status for no more than
381 twenty-four months, provided that no more than one
382 designation of probationary status shall be allowed for the
383 duration of the charter contract, at any time if the charter
384 school commits a serious breach of one or more provisions of
385 its charter or on any of the following grounds: failure to
386 meet the performance contract as set forth in its charter,
387 failure to meet generally accepted standards of fiscal
388 management, failure to provide information necessary to
389 confirm compliance with all provisions of the charter and
390 sections 160.400 to 160.425 and 167.349 within forty-five
391 days following receipt of written notice requesting such
392 information, or violation of law.

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

398 (3) At least sixty days before acting to revoke a
399 charter, the sponsor shall notify the governing board of the
400 charter school of the proposed action in writing. The
401 notice shall state the grounds for the proposed action. The
402 school's governing board may request in writing a hearing
403 before the sponsor within two weeks of receiving the notice.

404 (4) The sponsor of a charter school shall establish
405 procedures to conduct administrative hearings upon
406 determination by the sponsor that grounds exist to revoke a
407 charter. Final decisions of a sponsor from hearings

408 conducted pursuant to this subsection are subject to an
409 appeal to the state board of education, which shall
410 determine whether the charter shall be revoked.

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

415 (6) A charter sponsor shall make available the school
416 accountability report card information as provided under
417 section 160.522 and the results of the academic monitoring
418 required under subsection 3 of this section.

419 9. (1) A sponsor shall take all reasonable steps
420 necessary to confirm that each charter school sponsored by
421 such sponsor is in material compliance and remains in
422 material compliance with all material provisions of the
423 charter and sections 160.400 to 160.425 and 167.349. Every
424 charter school shall provide all information necessary to
425 confirm ongoing compliance with all provisions of its
426 charter and sections 160.400 to 160.425 and 167.349 in a
427 timely manner to its sponsor.

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

431 (a) The charter school has maintained results on its
432 annual performance report that meet or exceed the district
433 in which the charter school is located based on the
434 performance standards that are applicable to the grade-level
435 configuration of both the charter school and the district in
436 which the charter school is located in three of the last
437 four school years;

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

441 a. A negative balance in its operating funds;

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

445 c. Expenditures that exceed receipts for the most
446 recently completed fiscal year;

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

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

457 (3) (a) Beginning August first during the year in
458 which a charter is considered for renewal, a charter school
459 sponsor shall demonstrate to the state board of education
460 that the charter school is in compliance with federal and
461 state law as provided in sections 160.400 to 160.425 and
462 section 167.349 and the school's performance contract
463 including but not limited to those requirements specific to
464 academic performance.

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

469 (c) Using the data requested and the revised charter
470 application under paragraphs (a) and (b) of this
471 subdivision, the state board of education shall determine if
472 compliance with all standards enumerated in this subdivision
473 has been achieved. The state board of education at its next
474 regularly scheduled meeting shall vote on the revised
475 charter application.

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

479 10. A school district may enter into a lease with a
480 charter school for physical facilities.

481 11. A governing board or a school district employee
482 who has control over personnel actions shall not take
483 unlawful reprisal against another employee at the school
484 district because the employee is directly or indirectly
485 involved in an application to establish a charter school. A
486 governing board or a school district employee shall not take
487 unlawful reprisal against an educational program of the
488 school or the school district because an application to
489 establish a charter school proposes the conversion of all or
490 a portion of the educational program to a charter school.
491 As used in this subsection, "unlawful reprisal" means an
492 action that is taken by a governing board or a school
493 district employee as a direct result of a lawful application
494 to establish a charter school and that is adverse to another
495 employee or an educational program.

496 12. Charter school board members shall be subject to
497 the same liability for acts while in office as if they were
498 regularly and duly elected members of school boards in any
499 other public school district in this state. The governing
500 board of a charter school may participate, to the same

501 extent as a school board, in the Missouri public entity risk
502 management fund in the manner provided under sections
503 537.700 to 537.756.

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

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

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

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

517 15. The department of elementary and secondary
518 education shall calculate an annual performance report for
519 each charter school and shall publish it in the same manner
520 as annual performance reports are calculated and published
521 for districts and attendance centers.

522 [16. The joint committee on education shall create a
523 committee to investigate facility access and affordability
524 for charter schools. The committee shall be comprised of
525 equal numbers of the charter school sector and the public
526 school sector and shall report its findings to the general
527 assembly by December 31, 2016.]

EXPLANATION: The report under subsection 16 was due 12-31-
2016.

160.500. 1. Sections 160.500 to 160.538, sections
2 160.545 and 160.550, sections 161.099 and 161.610, sections
3 162.203 and 162.1010, section 163.023, sections 166.275 and

4 166.300, section 170.254, section 173.750, and sections
5 178.585 and 178.698 may be cited as the "Outstanding Schools
6 Act" and includes provisions relating to reduced class size,
7 the A+ schools program, funding for parents as teachers and
8 early childhood development, teacher training, the upgrading
9 of vocational and technical education, measures to promote
10 accountability and other provisions of those sections.

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

28 3. The commissioner of administration shall estimate
29 and furnish to the state treasurer the appropriate net
30 increase in the amount of state tax revenues collected and
31 any adjustments to previous estimates pursuant to this act
32 from the following: the additional one and one-fourth
33 percent tax on Missouri taxable income collected under
34 subsection 2 **and** 3 of section 143.071; and the reduction of
35 the federal income tax deduction pursuant to subsections 3

36 and 4 of section 143.171, not including any change in tax
37 collections resulting from any revision of the federal tax
38 code made after January 1, 1993. The treasurer shall
39 transfer monthly from general revenue an amount equal to the
40 estimate to the outstanding schools trust fund established
41 in subsection 2 of this section.

EXPLANATION: The intersectional reference in subsection 3
of this section became obsolete due to the statutory changes
to section 143.071 in 2018.

2 [167.910. 1. There is hereby established
3 the "Career Readiness Course Task Force" to
4 explore the possibility of a course covering the
5 topics described in this section being offered
6 in the public schools to students in eighth
7 grade or ninth grade. Task force members shall
8 be chosen to represent the geographic diversity
9 of the state. All task force members shall be
10 appointed before October 31, 2018. The task
11 force members shall be appointed as follows:

12 (1) A parent of a student attending
13 elementary school, appointed by the joint
14 committee on education;

15 (2) A parent of a student attending a
16 grade not lower than the sixth nor higher than
17 the eighth grade, appointed by the joint
18 committee on education;

19 (3) A parent of a student attending high
20 school, appointed by the joint committee on
21 education;

22 (4) An elementary education professional
23 from an accredited school district, appointed by
24 the joint committee on education from names
25 submitted by statewide education employee
26 organizations;

27 (5) Two education professionals giving
28 instruction in a grade or grades not lower than
29 the sixth nor higher than the eighth grade in
30 accredited school districts, appointed by the
31 joint committee on education from names
32 submitted by statewide education employee
33 organizations;

34 (6) Two secondary education professionals
35 from accredited school districts, appointed by
36 the joint committee on education from names
37 submitted by statewide education employee
38 organizations;

39 (7) A career and technical education
40 professional who has experience serving as an
41 advisor to a statewide career and technical

41 education organization, appointed by a statewide
42 career and technical education organization;
43 (8) An education professional from an
44 accredited technical high school, appointed by a
45 statewide career and technical education
46 organization;
47 (9) A public school board member,
48 appointed by a statewide association of school
49 boards;
50 (10) A secondary school principal,
51 appointed by a statewide association of
52 secondary school principals;
53 (11) A principal of a school giving
54 instruction in a grade or grades not lower than
55 the sixth nor higher than the eighth grade,
56 appointed by a statewide association of
57 secondary school principals;
58 (12) An elementary school counselor,
59 appointed by a statewide association of school
60 counselors;
61 (13) Two school counselors from a school
62 giving instruction in a grade or grades not
63 lower than the sixth nor higher than the eighth
64 grade, appointed by a statewide association of
65 school counselors;
66 (14) A secondary school counselor,
67 appointed by a statewide association of school
68 counselors;
69 (15) A secondary school career and college
70 counselor, appointed by a statewide association
71 of school counselors;
72 (16) An apprenticeship professional,
73 appointed by the division of workforce
74 development of economic development;
75 (17) A representative of Missouri Project
76 Lead the Way, appointed by the statewide Project
77 Lead the Way organization;
78 (18) A representative of the state
79 technical college, appointed by the state
80 technical college;
81 (19) A representative of a public
82 community college, appointed by a statewide
83 organization of community colleges; and
84 (20) A representative of a public four-
85 year institution of higher education, appointed
86 by the commissioner of higher education.
87 2. The members of the task force
88 established under subsection 1 of this section
89 shall elect a chair from among the membership of
90 the task force. The task force shall meet as
91 needed to complete its consideration of the
92 course described in subsection 5 of this section
93 and provide its findings and recommendations as
94 described in subsection 6 of this section.
95 Members of the task force shall serve without
96 compensation. No school district policy or
97 administrative action shall require any

98 education employee member to use personal leave
99 or incur a reduction in pay for participating on
100 the task force.

101 3. The task force shall hold at least
102 three public hearings to provide an opportunity
103 to receive public testimony including, but not
104 limited to, testimony from educators, local
105 school boards, parents, representatives from
106 business and industry, labor and community
107 leaders, members of the general assembly, and
108 the general public.

109 4. The department of elementary and
110 secondary education shall provide such legal,
111 research, clerical, and technical services as
112 the task force may require in the performance of
113 its duties.

114 5. The task force established under
115 subsection 1 of this section shall consider a
116 course that:

117 (1) Gives students an opportunity to
118 explore various career and educational
119 opportunities by:

120 (a) Administering career surveys to
121 students and helping students use Missouri
122 Connections to determine their career interests
123 and develop plans to meet their career goals;

124 (b) Explaining the differences between
125 types of colleges, including two-year and four-
126 year colleges and noting the availability of
127 registered apprenticeship programs as
128 alternatives to college for students;

129 (c) Describing technical degrees offered
130 by colleges;

131 (d) Explaining the courses and educational
132 experiences offered at community colleges;

133 (e) Describing the various certificates
134 and credentials available to earn at the school
135 or other schools including, but not limited to,
136 career and technical education certificates
137 described under section 170.029 and industry-
138 recognized certificates and credentials;

139 (f) Advising students of any advanced
140 placement courses that they may take at the
141 school;

142 (g) Describing any opportunities at the
143 school for dual enrollment;

144 (h) Advising students of any Project Lead
145 the Way courses offered at the school and
146 explaining how Project Lead the Way courses help
147 students learn valuable skills;

148 (i) Informing students of the availability
149 of funding for postsecondary education through
150 the A+ schools program described under section
151 160.545;

152 (j) Describing the availability of virtual
153 courses;

154 (k) Describing the types of skills and
155 occupations most in demand in the current job
156 market and those skills and occupations likely
157 to be in high demand in future years;

158 (l) Describing the typical salaries for
159 occupations, salary trends, and opportunities
160 for advancement in various occupations;

161 (m) Emphasizing the opportunities
162 available in careers involving science,
163 technology, engineering, and math;

164 (n) Advising students of the resources
165 offered by workforce or job centers;

166 (o) Preparing students for the ACT
167 assessment or the ACT WorkKeys assessments
168 required for the National Career Readiness
169 Certificate;

170 (p) Administering a practice ACT
171 assessment or practice ACT WorkKeys assessments
172 required for the National Career Readiness
173 Certificate to students;

174 (q) Advising students of opportunities to
175 take the SAT and the Armed Services Vocational
176 Aptitude Battery;

177 (r) Administering a basic math test to
178 students so that they can assess their math
179 skills;

180 (s) Administering a basic writing test to
181 students so that they can assess their writing
182 skills;

183 (t) Helping each student prepare a
184 personal plan of study that outlines a sequence
185 of courses and experiences that concludes with
186 the student reaching his or her postsecondary
187 goals; and

188 (u) Explaining how to complete college
189 applications and the Free Application for
190 Federal Student Aid;

191 (2) Focuses on career readiness and
192 emphasizes the importance of work ethic,
193 communication, collaboration, critical thinking,
194 and creativity;

195 (3) Demonstrates that graduation from a
196 four-year college is not the only pathway to
197 success by describing to students at least
198 sixteen pathways to success in detail and
199 including guest visitors who represent each
200 pathway described. In exploring how these
201 pathways could be covered in the course, the
202 task force shall consider how instructors for
203 the course may be able to rely on assistance
204 from Missouri's career pathways within the
205 department of elementary and secondary education;

206 (4) Provides student loan counseling; and
207 (5) May include parent-student meetings.

208 6. Before December 1, 2019, the task force
209 established under subsection 1 of this section
210 shall present its findings and recommendations

211 to the speaker of the house of representatives,
212 the president pro tempore of the senate, the
213 joint committee on education, and the state
214 board of education. Upon presenting the
215 findings and recommendations as described in
216 this subsection, the task force shall dissolve.]

2 [167.910. 1. There is hereby established
3 the "Career Readiness Course Task Force" to
4 explore the possibility of a course covering the
5 topics described in this section being offered
6 in the public schools to students in eighth
7 grade or ninth grade. Task force members shall
8 be chosen to represent the geographic diversity
9 of the state. All task force members shall be
10 appointed before October 31, 2018. The task
11 force members shall be appointed as follows:

12 (1) A parent of a student attending
13 elementary school, appointed by a statewide
14 association of parents and teachers;

15 (2) A parent of a student attending a
16 grade not lower than the sixth nor higher than
17 the eighth grade, appointed by a statewide
18 association of parents and teachers;

19 (3) A parent of a student attending high
20 school, appointed by a statewide association of
21 parents and teachers;

22 (4) An elementary education professional
23 from an accredited school district, appointed by
24 agreement among the Missouri State Teachers
25 Association, the Missouri National Education
26 Association, and the American Federation of
27 Teachers of Missouri;

28 (5) An education professional giving
29 instruction in a grade or grades not lower than
30 the sixth nor higher than the eighth grade in an
31 accredited school district, appointed by
32 agreement among the Missouri State Teachers
33 Association, the Missouri National Education
34 Association, and the American Federation of
35 Teachers of Missouri;

36 (6) A secondary education professional
37 from an accredited school district, appointed by
38 agreement among the Missouri State Teachers
39 Association, the Missouri National Education
40 Association, and the American Federation of
41 Teachers of Missouri;

42 (7) A career and technical education
43 professional who has experience serving as an
44 advisor to a statewide career and technical
45 education organization, appointed by a statewide
46 career and technical education organization;

47 (8) An education professional from an
48 accredited technical high school, appointed by a
49 statewide career and technical education
organization;

50 (9) A public school board member,
51 appointed by a statewide association of school
52 boards;

53 (10) A secondary school principal,
54 appointed by a statewide association of
55 secondary school principals;

56 (11) A principal of a school giving
57 instruction in a grade or grades not lower than
58 the sixth nor higher than the eighth grade,
59 appointed by a statewide association of
60 secondary school principals;

61 (12) An elementary school counselor,
62 appointed by a statewide association of school
63 counselors;

64 (13) A school counselor from a school
65 giving instruction in a grade or grades not
66 lower than the sixth nor higher than the eighth
67 grade, appointed by a statewide association of
68 school counselors;

69 (14) A secondary school counselor,
70 appointed by a statewide association of school
71 counselors;

72 (15) A secondary school career and college
73 counselor, appointed by a statewide association
74 of school counselors;

75 (16) An apprenticeship professional,
76 appointed by the division of workforce
77 development of the department of economic
78 development;

79 (17) A representative of Missouri Project
80 Lead the Way, appointed by the statewide Project
81 Lead the Way organization;

82 (18) A representative of the State
83 Technical College of Missouri, appointed by the
84 State Technical College of Missouri;

85 (19) A representative of a public
86 community college, appointed by a statewide
87 organization of community colleges; and

88 (20) A representative of a public four-
89 year institution of higher education, appointed
90 by the commissioner of higher education.

91 2. The members of the task force
92 established under subsection 1 of this section
93 shall elect a chair from among the membership of
94 the task force. The task force shall meet as
95 needed to complete its consideration of the
96 course described in subsection 5 of this section
97 and provide its findings and recommendations as
98 described in subsection 6 of this section.
99 Members of the task force shall serve without
100 compensation. No school district policy or
101 administrative action shall require any
102 education employee member to use personal leave
103 or incur a reduction in pay for participating on
104 the task force.

105 3. The task force shall hold at least
106 three public hearings to provide an opportunity

107 to receive public testimony including, but not
108 limited to, testimony from educators, local
109 school boards, parents, representatives from
110 business and industry, labor and community
111 leaders, members of the general assembly, and
112 the general public.

113 4. The department of elementary and
114 secondary education shall provide such legal,
115 research, clerical, and technical services as
116 the task force may require in the performance of
117 its duties.

118 5. The task force established under
119 subsection 1 of this section shall consider a
120 course that:

121 (1) Gives students an opportunity to
122 explore various career and educational
123 opportunities by:

124 (a) Administering career surveys to
125 students and helping students use Missouri
126 Connections to determine their career interests
127 and develop plans to meet their career goals;

128 (b) Explaining the differences between
129 types of colleges, including two-year and four-
130 year colleges, and noting the availability of
131 registered apprenticeship programs as
132 alternatives to college for students;

133 (c) Describing technical degrees offered
134 by colleges;

135 (d) Explaining the courses and educational
136 experiences offered at community colleges;

137 (e) Describing the various certificates
138 and credentials available to earn at the school
139 or other schools including, but not limited to,
140 career and technical education certificates
141 described under section 170.029 and industry-
142 recognized certificates and credentials;

143 (f) Advising students of any advanced
144 placement courses that they may take at the
145 school;

146 (g) Describing any opportunities at the
147 school for dual enrollment;

148 (h) Advising students of any Project Lead
149 the Way courses offered at the school and
150 explaining how Project Lead the Way courses help
151 students learn valuable skills;

152 (i) Informing students of the availability
153 of funding for postsecondary education through
154 the A+ schools program described under section
155 160.545;

156 (j) Describing the availability of virtual
157 courses;

158 (k) Describing the types of skills and
159 occupations most in demand in the current job
160 market and those skills and occupations likely
161 to be in high demand in future years;

162 (l) Describing the typical salaries for
163 occupations, salary trends, and opportunities
164 for advancement in various occupations;
165 (m) Emphasizing the opportunities
166 available in careers involving science,
167 technology, engineering, and math;
168 (n) Advising students of the resources
169 offered by workforce or job centers;
170 (o) Preparing students for the ACT
171 assessment or the ACT WorkKeys assessments
172 required for the National Career Readiness
173 Certificate;
174 (p) Administering a practice ACT
175 assessment or practice ACT WorkKeys assessments
176 required for the National Career Readiness
177 Certificate to students;
178 (q) Advising students of opportunities to
179 take the SAT and the Armed Services Vocational
180 Aptitude Battery;
181 (r) Administering a basic math test to
182 students so that they can assess their math
183 skills;
184 (s) Administering a basic writing test to
185 students so that they can assess their writing
186 skills;
187 (t) Helping each student prepare a
188 personal plan of study that outlines a sequence
189 of courses and experiences that concludes with
190 the student reaching his or her postsecondary
191 goals; and
192 (u) Explaining how to complete college
193 applications and the Free Application for
194 Federal Student Aid;
195 (2) Focuses on career readiness and
196 emphasizes the importance of work ethic,
197 communication, collaboration, critical thinking,
198 and creativity;
199 (3) Demonstrates that graduation from a
200 four-year college is not the only pathway to
201 success by describing to students at least
202 sixteen pathways to success in detail and
203 including guest visitors who represent each
204 pathway described. In exploring how these
205 pathways could be covered in the course, the
206 task force shall consider how instructors for
207 the course may be able to rely on assistance
208 from Missouri Career Pathways within the
209 department of elementary and secondary education;
210 (4) Provides student loan counseling; and
211 (5) May include parent-student meetings.
212 6. Before December 1, 2019, the task force
213 established under subsection 1 of this section
214 shall present its findings and recommendations
215 to the speaker of the house of representatives,
216 the president pro tempore of the senate, the
217 joint committee on education, and the state
218 board of education. Upon presenting the

219 findings and recommendations as described in
220 this subsection, the task force shall dissolve.]

EXPLANATION: The task force under this section was dissolved 12-01-2019 (two versions).

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

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

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

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

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

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

EXPLANATION: The report under subsection 3 of this section was due by 12-01-2017.

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

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

8 school districts under the provisions of sections 178.691 to
9 178.699.

10 3. Payments for participants for programs outlined in
11 section 178.693 shall be uniform for all districts or public
12 agencies.

13 [4. Families with children under the age of
14 kindergarten entry shall be eligible to receive annual
15 development screenings and parents shall be eligible to
16 receive prenatal visits under sections 178.691 to 178.699.
17 Priority for service delivery of approved parent education
18 programs under sections 178.691 to 178.699, which includes,
19 but is not limited to, home visits, group meetings,
20 screenings, and service referrals, shall be given to
21 high-needs families in accordance with criteria set forth by
22 the department of elementary and secondary education. Local
23 school districts may establish cost sharing strategies to
24 supplement funding for such program services. The
25 provisions of this subsection shall expire on December 31,
26 2015, unless reauthorized by an act of the general assembly.]

EXPLANATION: Subsection 4 of this section expired 12-31-2015.

208.244. 1. [Beginning January 1, 2016, the waiver of
2 the work requirement for the supplemental nutrition
3 assistance program under 7 U.S.C. Section 2015(o) shall no
4 longer apply to individuals seeking benefits in this state.
5 The provisions of this subsection shall terminate on January
6 1, 2019.

7 2.] Any ongoing savings resulting from a reduction in
8 state expenditures due to modification of the supplemental
9 nutrition assistance program under this section or the
10 temporary assistance for needy families program under
11 sections 208.026 and 208.040 effective on August 28, 2015,
12 subject to appropriations, shall be used to provide child

13 care assistance for single parent households, education
14 assistance, transportation assistance, and job training for
15 individuals receiving benefits under such programs as
16 allowable under applicable state and federal law.

17 [3.] 2. The department shall make an annual report to
18 the joint committee on government accountability on the
19 progress of implementation of sections 208.026 and 208.040,
20 including information on enrollment, demographics, work
21 participation, and changes to specific policies. The joint
22 committee shall meet at least once a year to review the
23 department's report and shall make recommendations to the
24 president pro tempore of the senate and the speaker of the
25 house of representatives.

EXPLANATION: Subsection 1 of this section terminated on 1-
01-2019.

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

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

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

16 (3) Analyzing issues relating to the curriculum,
17 funding, and administration of the training program designed
18 under subdivision (1) of this section[; and

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

EXPLANATION: The report in subdivision (4) of this section
was due 11-01-2005.

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

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

6 (2) "Biodiesel", fuel as defined in ASTM Standard
7 PS121;

8 (3) "EPAAct", the federal Energy Policy Act, 42 U.S.C.
9 13201, et seq.;

10 (4) "EPAAct credit", a credit issued pursuant to EPAAct;

11 (5) "Fund", the biodiesel fuel revolving fund;

12 (6) "Incremental cost", the difference in cost between
13 biodiesel fuel and conventional petroleum-based diesel fuel
14 at the time the biodiesel fuel is purchased.

15 2. The department, in cooperation with the department
16 of agriculture, shall establish and administer an EPAAct
17 credit banking and selling program to allow state agencies
18 to use moneys generated by the sale of EPAAct credits to
19 purchase biodiesel fuel for use in state vehicles. Each
20 state agency shall provide the department with all vehicle
21 fleet information necessary to determine the number of EPAAct

22 credits generated by the agency. The department may sell
23 credits in any manner pursuant to the provisions of EAct.

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

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

42 5. Notwithstanding the provisions of section 33.080,
43 no portion of the fund shall be transferred to the general
44 revenue fund, and any appropriation made to the fund shall
45 not lapse. The state treasurer shall invest moneys in the
46 fund in the same manner as other funds are invested.
47 Interest and moneys earned on such investments shall be
48 credited to the fund.

49 6. The department shall promulgate such rules as are
50 necessary to implement this section. No rule or portion of
51 a rule promulgated pursuant to this section shall become
52 effective unless it has been promulgated pursuant to chapter
53 536.

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

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

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

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

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

EXPLANATION: The report under subsection 7 of this section
was due 1-01-2002.

454.433. 1. When a tribunal of another state as
2 defined in section [454.850] **454.1503** has ordered support
3 payments to a person who has made an assignment of child
4 support rights to the family support division or who is
5 receiving child support services pursuant to section
6 454.425, the family support division may notify the court of
7 this state in the county in which the obligor, obligee or
8 the child resides or works. Until October 1, 1999, upon
9 such notice the circuit clerk shall accept all support
10 payments and remit such payments to the person or entity
11 entitled to receive the payments. Effective October 1,
12 1999, the division shall order the payment center to accept

13 all support payments and remit such payments to the person
14 or entity entitled to receive the payments.

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

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

22 may be made by regular mail. When appropriate to the
23 circumstances of the individual action, the notice shall
24 state:

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

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

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

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

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

37 (6) That if a parent desires to discuss the amount of
38 support that should be paid, the parent or person having
39 custody of the child may, within twenty days after being
40 served, contact the division office which sent the notice
41 and request a negotiation conference. The other parent or
42 person having custody of the child shall be notified of the
43 negotiated conference and may participate in the
44 conference. If no agreement is reached on the monthly
45 amount to be paid, the director may issue a new notice and
46 finding of financial responsibility, which may be sent to
47 the parent required to pay support by regular mail addressed
48 to the parent's last known address or, if applicable, the
49 parent's attorney's last known address. A copy of the new
50 notice and finding shall be sent by regular mail to the
51 other parent or person having custody of the child;

52 (7) That if a parent or person having custody of the
53 child objects to all or any part of the notice and finding

54 of financial responsibility and no negotiation conference is
55 requested, within twenty days of the date of service the
56 parent or person having custody of the child shall send to
57 the division office which issued the notice a written
58 response which sets forth any objections and requests a
59 hearing; and, that if the director issues a new notice and
60 finding of financial responsibility, the parent or person
61 having custody of the child shall have twenty days from the
62 date of issuance of the new notice to send a hearing request;

63 (8) That if such a timely response is received by the
64 appropriate division office, and if such response raises
65 factual questions requiring the submission of evidence, the
66 parent or person having custody of the child shall have the
67 right to a hearing before an impartial hearing officer who
68 is an attorney licensed to practice law in Missouri and,
69 that if no timely written response is received, the director
70 may enter an order in accordance with the notice and finding
71 of financial responsibility;

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

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

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

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

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

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

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

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

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

101 4. If a timely written response setting forth
102 objections and requesting a hearing is received by the
103 appropriate division office, and if such response raises a
104 factual question requiring the submission of evidence, a
105 hearing shall be held in the manner provided by section
106 454.475. If no timely written response and request for
107 hearing is received by the appropriate division office, the
108 director may enter an order in accordance with the notice,
109 and shall specify:

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

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

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

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

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

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

124 (7) If appropriate, that the parent shall provide
125 medical insurance for the dependent child, or shall pay the
126 reasonable and necessary medical expenses of the dependent
127 child.

128 5. The parent or person having custody of the child
129 shall be sent a copy of the order by regular mail addressed
130 to the parent's last known address or, if applicable, the
131 parent's attorney's last known address. The order is final,
132 and action by the director to enforce and collect upon the
133 order, including arrearages, may be taken from the date of
134 issuance of the order.

135 6. Copies of the orders issued pursuant to this
136 section shall be mailed within fourteen days of the issuance
137 of the order.

138 7. Any parent or person having custody of the child
139 who is aggrieved as a result of any allegation or issue of
140 fact contained in the notice and finding of financial
141 responsibility shall be afforded an opportunity for a
142 hearing, upon the request in writing filed with the director
143 not more than twenty days after service of the notice and
144 finding is made upon such parent or person having custody of
145 the child, and if in requesting such hearing, the aggrieved
146 parent or person having custody of the child raises a
147 factual issue requiring the submission of evidence.

148 8. At any time after the issuance of an order under
149 this section, the director may issue an order vacating that
150 order if it is found that the order was issued without
151 subject matter or personal jurisdiction or if the order was
152 issued without affording the obligor due process of law.

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

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

28 3. In addition to any other provision to enforce an
29 order docketed pursuant to this section or any other support
30 order of the court, division or other IV-D agency, the
31 director may order that an obligor who owes past due support
32 to pay support in accordance with a plan approved by the
33 director, or if the obligor is subject to such plan and is
34 not incapacitated, the director may order the obligor to
35 participate in work activities. The order of the director
36 shall be filed with a court pursuant to subsection 1 of this
37 section and shall be enforceable as an order of the court.

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

- 39 (1) Unsubsidized employment;
- 40 (2) Subsidized private sector employment;
- 41 (3) Subsidized public sector employment;
- 42 (4) Work experience (including work associated with
43 the refurbishing of publicly assisted housing) if sufficient
44 private sector employment is not available;
- 45 (5) On-the-job training;
- 46 (6) Job search and readiness assistance;
- 47 (7) Community services programs;
- 48 (8) Vocational educational training, not to exceed
49 twelve months for any individual;
- 50 (9) Job skills training directly related to employment;
- 51 (10) Education directly related to employment for an
52 individual who has not received a high school diploma or its
53 equivalent;
- 54 (11) Satisfactory attendance at a secondary school or
55 course of study leading to a certificate of general
56 equivalence for an individual who has not completed
57 secondary school or received such a certificate; or

58 (12) The provision of child care services to an
59 individual who is participating in a community service
60 program.

EXPLANATION: Intersectional references in these sections became obsolete with the repeal of sections 454.850 to 454.997.

 488.426. 1. The judges of the circuit court, en banc,
2 in any circuit in this state may require any party filing a
3 civil case in the circuit court, at the time of filing the
4 suit, to deposit with the clerk of the court a surcharge in
5 addition to all other deposits required by law or court
6 rule. Sections 488.426 to 488.432 shall not apply to
7 proceedings when costs are waived or are to be paid by the
8 county or state or any city.

 2. The surcharge in effect on August 28, 2001, shall
10 remain in effect until changed by the circuit court. The
11 circuit court in any circuit, except the circuit court in
12 Jackson County or the circuit court in any circuit that
13 reimburses the state for the salaries of family court
14 commissioners under and pursuant to section 487.020, may
15 change the fee to any amount not to exceed fifteen dollars.
16 The circuit court in Jackson County or the circuit court in
17 any circuit that reimburses the state for the salaries of
18 family court commissioners under and pursuant to section
19 487.020 may change the fee to any amount not to exceed
20 twenty dollars. A change in the fee shall become effective
21 and remain in effect until further changed.

 3. Sections 488.426 to 488.432 shall not apply to
23 proceedings when costs are waived or are paid by the county
24 or state or any city.

 [4. In addition to any fee authorized by subsection 1
26 of this section, any county of the first classification with

27 more than one hundred one thousand but fewer than one
28 hundred fifteen thousand inhabitants may impose an
29 additional fee of ten dollars excluding cases concerning
30 adoption and those in small claims court. The provisions of
31 this subsection shall expire on December 31, 2019.]

EXPLANATION: Subsection 4 of this section expired 12-31-
2019.

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

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

17 [3.] 2. The division of workforce development of the
18 department of economic development shall establish and
19 promote the recruitment of "Show-Me Employers" which shall
20 consist of Missouri-based corporations and businesses
21 agreeing to interview, for entry-level jobs, participants
22 successfully completing a youth corps program.

23 [4.] 3. The division of workforce development of the
24 department of economic development shall recognize and
25 promote within the labor exchange system the youth service

26 corps and the potential benefits of hiring participants who
27 have successfully completed any of the corps' programs.

EXPLANATION: Subsection 1 of this section became obsolete when the authority for the Missouri Training and Employment Council was repealed in 2007.

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

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

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

21 4.] Failure of a facility or program to submit
22 information requested by the department and required by this
23 section shall disqualify such facility or program from
24 receiving department certification or funding until such
25 information is submitted.

EXPLANATION: The report under subsection 3 due 1-01-1983.

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

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

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

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

18 (2) The director of the department of
19 revenue or the director's designee;

20 (3) Two Missouri motor vehicle dealers,
21 with one to be appointed by the speaker of the
22 house of representatives and one to be appointed
23 by the president pro tempore of the senate;

24 (4) Two representatives from Missouri
25 county governments, with one to be appointed by
26 the speaker of the house of representatives and
27 one to be appointed by the president pro tempore
28 of the senate;

29 (5) Two representatives from Missouri city
30 governments, with one to be appointed by the
31 speaker of the house of representatives and one
32 to be appointed by the president pro tempore of
33 the senate; and

34 (6) One Missouri marine dealer, to be
35 appointed by the speaker of the house of
36 representatives.

37 2. The task force shall meet within thirty
38 days after its creation and organize by
39 selecting a chair and a vice chair, one of whom
40 shall be a member of the senate and the other of
41 whom shall be a member of the house of
42 representatives. The chair shall designate a
43 person to keep the records of the task force. A
44 majority of the task force constitutes a quorum
45 and a majority vote of a quorum is required for
46 any action.

47 3. The task force shall meet at least
48 quarterly. However, the task force shall meet
49 at least monthly during each term of the general
50 assembly. Meetings may be held by telephone or
51 video conference at the discretion of the
52 chair.

53 4. Members shall serve on the task force
54 without compensation but may, subject to
55 appropriation, be reimbursed for actual and
56 necessary expenses incurred in the performance
57 of their official duties as members of the task
force.

58 5. The goals of the task force shall
59 address:
60 (1) The disparity in taxation that
61 resulted from the Missouri Supreme Court's
62 decision in *Street v. Director of Revenue*, 361
63 S.W.3d 355 (Mo. en banc 2012), concerning the
64 local taxation of motor vehicles, boats,
65 trailers, and outboard motors if purchased from
66 a source other than a licensed Missouri dealer;
67 (2) The need for local jurisdictions to
68 continue to receive revenue to provide vital
69 services restored by S.B. 23, effective July 5,
70 2013; and
71 (3) The need to avoid placing Missouri
72 dealers of motor vehicles, outboard motors,
73 boats, and trailers at a competitive
74 disadvantage to non-Missouri dealers of motor
75 vehicles, outboard motors, boats, and trailers.
76 6. The task force shall:
77 (1) Review evidence regarding the methods
78 to address the goals of the task force;
79 (2) Review the methods used by other
80 states to address the goals of the task force;
81 (3) Review the impact of the disparity of
82 treatment on Missouri dealers; and
83 (4) Develop legislation that will not
84 discriminate against Missouri dealers and will
85 safeguard local revenue to provide vital local
86 services.
87 7. On or before December 31, 2017, the
88 task force shall submit a report on its findings
89 to the governor and general assembly. The
90 report shall include any dissenting opinions in
91 addition to any majority opinions.
92 8. The task force shall expire on January
93 1, 2018, or upon submission of a report under
94 subsection 7 of this section, whichever is
95 earlier.]

EXPLANATION: This section expired 1-01-2018.

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

EXPLANATION: The report required under this section was due by 12-31-2018; no other duties are listed.

2 [99.1205. 1. This section shall be known
3 and may be cited as the "Distressed Areas Land
4 Assemblage Tax Credit Act".

5 2. As used in this section, the following
6 terms mean:

7 (1) "Acquisition costs", the purchase
8 price for the eligible parcel, costs of
9 environmental assessments, closing costs, real
10 estate brokerage fees, reasonable demolition
11 costs of vacant structures, and reasonable
12 maintenance costs incurred to maintain an
13 acquired eligible parcel for a period of five
14 years after the acquisition of such eligible
15 parcel. Acquisition costs shall not include
16 costs for title insurance and survey, attorney's
17 fees, relocation costs, fines, or bills from a
18 municipality;

19 (2) "Applicant", any person, firm,
20 partnership, trust, limited liability company,
21 or corporation which has:

22 (a) Incurred, within an eligible project
23 area, acquisition costs for the acquisition of
24 land sufficient to satisfy the requirements
25 under subdivision (8) of this subsection; and

26 (b) Been appointed or selected, pursuant
27 to a redevelopment agreement by a municipal
28 authority, as a redeveloper or similar
29 designation, under an economic incentive law, to
30 redevelop an urban renewal area or a
31 redevelopment area that includes all of an
32 eligible project area or whose redevelopment
33 plan or redevelopment area, which encompasses
34 all of an eligible project area, has been
35 approved or adopted under an economic incentive
36 law. In addition to being designated the
37 redeveloper, the applicant shall have been
38 designated to receive economic incentives only
39 after the municipal authority has considered the
40 amount of the tax credits in adopting such
41 economic incentives as provided in subsection 8
42 of this section. The redevelopment agreement
43 shall provide that:

44 a. The funds generated through the use or
45 sale of the tax credits issued under this
46 section shall be used to redevelop the eligible
47 project area;

48 b. No more than seventy-five percent of
49 the urban renewal area identified in the urban
50 renewal plan or the redevelopment area
51 identified in the redevelopment plan may be
52 redeveloped by the applicant; and

53 c. The remainder of the urban renewal area
54 or the redevelopment area shall be redeveloped
55 by co-redevelopers or redevelopers to whom the

55 applicant has assigned its redevelopment rights
56 and obligations under the urban renewal plan or
57 the redevelopment plan;

58 (3) "Certificate", a tax credit
59 certificate issued under this section;

60 (4) "Condemnation proceedings", any action
61 taken by, or on behalf of, an applicant to
62 initiate an action in a court of competent
63 jurisdiction to use the power of eminent domain
64 to acquire a parcel within the eligible project
65 area. Condemnation proceedings shall include
66 any and all actions taken after the submission
67 of a notice of intended acquisition to an owner
68 of a parcel within the eligible project area by
69 a municipal authority or any other person or
70 entity under section 523.250;

71 (5) "Department", the Missouri department
72 of economic development;

73 (6) "Economic incentive laws", any
74 provision of Missouri law pursuant to which
75 economic incentives are provided to redevelopers
76 of a parcel or parcels to redevelop the land,
77 such as tax abatement or payments in lieu of
78 taxes, or redevelopment plans or redevelopment
79 projects approved or adopted which include the
80 use of economic incentives to redevelop the
81 land. Economic incentive laws include, but are
82 not limited to, the land clearance for
83 redevelopment authority law under sections
84 99.300 to 99.660, the real property tax
85 increment allocation redevelopment act under
86 sections 99.800 to 99.865, the Missouri downtown
87 and rural economic stimulus act under sections
88 99.915 to 99.1060, and the downtown
89 revitalization preservation program under
90 sections 99.1080 to 99.1092;

91 (7) "Eligible parcel", a parcel:

92 (a) Which is located within an eligible
93 project area;

94 (b) Which is to be redeveloped;

95 (c) On which the applicant has not
96 commenced construction prior to November 28,
97 2007;

98 (d) Which has been acquired without the
99 commencement of any condemnation proceedings
100 with respect to such parcel brought by or on
101 behalf of the applicant. Any parcel acquired by
102 the applicant from a municipal authority shall
103 not constitute an eligible parcel; and

104 (e) On which all outstanding taxes, fines,
105 and bills levied by municipal governments that
106 were levied by the municipality during the time
107 period that the applicant held title to the
108 eligible parcel have been paid in full;

109 (8) "Eligible project area", an area which
110 shall have satisfied the following requirements:

111 (a) The eligible project area shall
112 consist of at least seventy-five acres and may
113 include parcels within its boundaries that do
114 not constitute an eligible parcel;

115 (b) At least eighty percent of the
116 eligible project area shall be located within a
117 Missouri qualified census tract area, as
118 designated by the United States Department of
119 Housing and Urban Development under 26 U.S.C.
120 Section 42, or within a distressed community as
121 that term is defined in section 135.530;

122 (c) The eligible parcels acquired by the
123 applicant within the eligible project area shall
124 total at least fifty acres, which may consist of
125 contiguous and noncontiguous parcels;

126 (d) The average number of parcels per acre
127 in an eligible project area shall be four or
128 more;

129 (e) Less than five percent of the acreage
130 within the boundaries of the eligible project
131 area shall consist of owner-occupied residences
132 which the applicant has identified for
133 acquisition under the urban renewal plan or the
134 redevelopment plan pursuant to which the
135 applicant was appointed or selected as the
136 redeveloper or by which the person or entity was
137 qualified as an applicant under this section on
138 the date of the approval or adoption of such
139 plan;

140 (9) "Interest costs", interest, loan fees,
141 and closing costs. Interest costs shall not
142 include attorney's fees;

143 (10) "Maintenance costs", costs of
144 boarding up and securing vacant structures,
145 costs of removing trash, and costs of cutting
146 grass and weeds;

147 (11) "Municipal authority", any city,
148 town, village, county, public body corporate and
149 politic, political subdivision, or land trust of
150 this state established and authorized to own
151 land within the state;

152 (12) "Municipality", any city, town,
153 village, or county;

154 (13) "Parcel", a single lot or tract of
155 land, and the improvements thereon, owned by, or
156 recorded as the property of, one or more persons
157 or entities;

158 (14) "Redeveloped", the process of
159 undertaking and carrying out a redevelopment
160 plan or urban renewal plan pursuant to which the
161 conditions which provided the basis for an
162 eligible project area to be included in a
163 redevelopment plan or urban renewal plan are to
164 be reduced or eliminated by redevelopment or
165 rehabilitation; and

166 (15) "Redevelopment agreement", the
167 redevelopment agreement or similar agreement

168 into which the applicant entered with a
169 municipal authority and which is the agreement
170 for the implementation of the urban renewal plan
171 or redevelopment plan pursuant to which the
172 applicant was appointed or selected as the
173 redeveloper or by which the person or entity was
174 qualified as an applicant under this section;
175 and such appointment or selection shall have
176 been approved by an ordinance of the governing
177 body of the municipality, or municipalities, or
178 in the case of any city not within a county, the
179 board of aldermen, in which the eligible project
180 area is located. The redevelopment agreement
181 shall include a time line for redevelopment of
182 the eligible project area. The redevelopment
183 agreement shall state that the named developer
184 shall be subject to the provisions of chapter
185 290.

186 3. Any applicant shall be entitled to a
187 tax credit against the taxes imposed under
188 chapters 143, 147, and 148, except for sections
189 143.191 to 143.265, in an amount equal to fifty
190 percent of the acquisition costs, and one
191 hundred percent of the interest costs incurred
192 for a period of five years after the acquisition
193 of an eligible parcel. No tax credits shall be
194 issued under this section until after January 1,
195 2008.

196 4. If the amount of such tax credit
197 exceeds the total tax liability for the year in
198 which the applicant is entitled to receive a tax
199 credit, the amount that exceeds the state tax
200 liability may be carried forward for credit
201 against the taxes imposed under chapters 143,
202 147, and 148 for the succeeding six years, or
203 until the full credit is used, whichever occurs
204 first. The applicant shall not be entitled to a
205 tax credit for taxes imposed under sections
206 143.191 to 143.265. Applicants entitled to
207 receive such tax credits may transfer, sell, or
208 assign the tax credits. Tax credits granted to
209 a partnership, a limited liability company taxed
210 as a partnership, or multiple owners of property
211 shall be passed through to the partners,
212 members, or owners respectively pro rata or
213 pursuant to an executed agreement among the
214 partners, members, or owners documenting an
215 alternate distribution method.

216 5. A purchaser, transferee, or assignee of
217 the tax credits authorized under this section
218 may use acquired tax credits to offset up to one
219 hundred percent of the tax liabilities otherwise
220 imposed under chapters 143, 147, and 148, except
221 for sections 143.191 to 143.265. A seller,
222 transferor, or assignor shall perfect such
223 transfer by notifying the department in writing
224 within thirty calendar days following the

225 effective date of the transfer and shall provide
226 any information as may be required by the
227 department to administer and carry out the
228 provisions of this section.

229 6. To claim tax credits authorized under
230 this section, an applicant shall submit to the
231 department an application for a certificate. An
232 applicant shall identify the boundaries of the
233 eligible project area in the application. The
234 department shall verify that the applicant has
235 submitted a valid application in the form and
236 format required by the department. The
237 department shall verify that the municipal
238 authority held the requisite hearings and gave
239 the requisite notices for such hearings in
240 accordance with the applicable economic
241 incentive act, and municipal ordinances. On an
242 annual basis, an applicant may file for the tax
243 credit for the acquisition costs, and for the
244 tax credit for the interest costs, subject to
245 the limitations of this section. If an
246 applicant applying for the tax credit meets the
247 criteria required under this section, the
248 department shall issue a certificate in the
249 appropriate amount. If an applicant receives a
250 tax credit for maintenance costs as a part of
251 the applicant's acquisition costs, the
252 department shall post on its internet website
253 the amount and type of maintenance costs and a
254 description of the redevelopment project for
255 which the applicant received a tax credit within
256 thirty days after the department issues the
257 certificate to the applicant.

258 7. The total aggregate amount of tax
259 credits authorized under this section shall not
260 exceed ninety-five million dollars. At no time
261 shall the annual amount of the tax credits
262 issued under this section exceed twenty million
263 dollars. If the tax credits that are to be
264 issued under this section exceed, in any year,
265 the twenty million dollar limitation, the
266 department shall either:

267 (1) Issue tax credits to the applicant in
268 the amount of twenty million dollars, if there
269 is only one applicant entitled to receive tax
270 credits in that year; or

271 (2) Issue the tax credits on a pro rata
272 basis to all applicants entitled to receive tax
273 credits in that year. Any amount of tax
274 credits, which an applicant is, or applicants
275 are, entitled to receive on an annual basis and
276 are not issued due to the twenty million dollar
277 limitation, shall be carried forward for the
278 benefit of the applicant or applicants to
279 subsequent years.

280 No tax credits provided under this section shall
281 be authorized after August 28, 2013. Any tax

282 credits which have been authorized on or before
283 August 28, 2013, but not issued, may be issued,
284 subject to the limitations provided under this
285 subsection, until all such authorized tax
286 credits have been issued.

287 8. Upon issuance of any tax credits
288 pursuant to this section, the department shall
289 report to the municipal authority the
290 applicant's name and address, the parcel numbers
291 of the eligible parcels for which the tax
292 credits were issued, the itemized acquisition
293 costs and interest costs for which tax credits
294 were issued, and the total value of the tax
295 credits issued. The municipal authority and the
296 state shall not consider the amount of the tax
297 credits as an applicant's cost, but shall
298 include the tax credits in any sources and uses
299 and cost benefit analysis reviewed or created
300 for the purpose of awarding other economic
301 incentives. The amount of the tax credits shall
302 not be considered an applicant's cost in the
303 evaluation of the amount of any award of any
304 other economic incentives, but shall be
305 considered in measuring the reasonableness of
306 the rate of return to the applicant with respect
307 to such award of other economic incentives. The
308 municipal authority shall provide the report to
309 any relevant commission, board, or entity
310 responsible for the evaluation and
311 recommendation or approval of other economic
312 incentives to assist in the redevelopment of the
313 eligible project area. Tax credits authorized
314 under this section shall constitute
315 redevelopment tax credits, as such term is
316 defined under section 135.800, and shall be
317 subject to all provisions applicable to
318 redevelopment tax credits provided under
319 sections 135.800 to 135.830.

320 9. The department may promulgate rules to
321 implement the provisions of this section. Any
322 rule or portion of a rule, as that term is
323 defined in section 536.010, that is created
324 under the authority delegated in this section
325 shall become effective only if it complies with
326 and is subject to all of the provisions of
327 chapter 536 and, if applicable, section
328 536.028. This section and chapter 536 are
329 nonseverable and if any of the powers vested
330 with the general assembly pursuant to chapter
331 536 to review, to delay the effective date, or
332 to disapprove and annul a rule are subsequently
333 held unconstitutional, then the grant of
334 rulemaking authority and any rule proposed or
335 adopted after August 28, 2007, shall be invalid
336 and void.]

EXPLANATION: No new tax credits authorized after 8-28-2013,
with 6-year carry forward (2019).

2 [103.175. The board shall study and report
3 to the general assembly, on or before December
4 15, 2003, on the feasibility of including in
5 this plan individuals who are employees of
6 eligible agencies which have not elected to join
7 the plan or who are retirees of school
 districts.]

EXPLANATION: The report under this section was due by 12-15-2003.

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

29 2. The Missouri state employees'
30 retirement system or the Missouri health care
31 plan, as appropriate, shall in cooperation with
32 the department of mental health and the
33 department of commerce and insurance design the
34 pilot project so as to generate data to evaluate
35 the costs and benefits of providing coverage of
36 chemical dependency using an alternative set of
37 benefits as provided in this section. The
38 Missouri consolidated health care plan shall at
39 the completion of the pilot project submit to
40 the governor and the members of the general
41 assembly a report which describes the results of
42 the evaluation of this pilot project. As
43 authorized by appropriations made for that
44 purpose, the Missouri state employees'
45 retirement system or the Missouri consolidated
46 health care plan may contract with persons to
47 conduct an independent evaluation of the pilot
 project established in this section.]

EXPLANATION: The provisions of this section became obsolete in 1999.

2 [104.403. 1. Any state employee or
3 retiree who retires pursuant to section 104.404,
4 and who is also eligible for medical coverage as
5 described in section 103.115, shall be eligible
6 to apply for the following coverage:

7 (1) Such retiree may elect to continue
8 coverage for himself or herself and any eligible
9 dependents at the same cost as if such retiree
10 was an active employee;

11 (2) Such retiree may continue to pay the
12 applicable rate as if the retiree were an active
13 employee for a maximum period of five years or
14 upon becoming eligible for Medicare, whichever
15 occurs first; and

16 (3) After five years or upon becoming
17 eligible for Medicare, the cost for medical
18 coverage for such retiree and any dependents
19 shall revert to the applicable rate in place at
20 that time.

21 2. Any employee or retiree of a
22 participating member agency who retires pursuant
23 to section 104.404 shall only be eligible to
24 have the provisions of subsection 1 of this
25 section applied to his or her coverage if the
26 governing body of the participating member
27 agency elects to provide such benefits.

28 3. The governing boards of Truman State
29 University, Lincoln University, the educational
30 institutions described in section 174.020, the
31 highway commission that governs the health care
32 plans of the Missouri department of
33 transportation and the Missouri state highway
34 patrol, and the conservation commission of the
35 department of conservation may elect to provide
36 its employees or retirees who retire pursuant to
37 section 104.404 the same benefits as described
38 in subsection 1 of this section under the
39 respective medical plans of those institutions
40 and departments. If the highway commission
41 elects to provide retirees the benefits of this
42 section, any special consultant pursuant to
43 section 104.515 who is a member of the Missouri
44 department of transportation and Missouri state
45 highway patrol medical and life insurance plan
46 and who retired on or after February 1, 2003,
47 but prior to July 1, 2003, shall be eligible to
receive the benefits of this section.]

2 [104.404. 1. An employee who has not been
3 a retiree of the system in which such employee
4 is currently receiving creditable or credited
5 service, who is eligible to receive a normal
6 annuity pursuant to section 104.080, 104.090,
7 104.100, 104.271, or 104.400, or a life and any
temporary annuity pursuant to section 104.1024,

8 and whose annuity commences no later than
9 September 1, 2003, shall be eligible to receive
10 the medical benefits described in section
11 104.403.

12 2. An employee who would be eligible to
13 receive a normal annuity pursuant to section
14 104.080, 104.090, 104.100, 104.271, or 104.400,
15 or a life and any temporary annuity pursuant to
16 section 104.1024, no later than January 1, 2004,
17 shall be eligible to retire based on the
18 employee's creditable or credited service and
19 the average compensation or final average pay on
20 the employee's date of termination of employment
21 if the employee applies to retire and whose
22 annuity commences no later than September 1,
23 2003. Such employee who so retires shall be
24 eligible to receive the medical benefits
25 described in subsection 1 of this section.

26 3. Any employee described in subsections 1
27 and 2 of this section who otherwise would be
28 eligible to elect to receive benefits under the
29 provisions of sections 104.625 and 104.1024, by
30 no later than January 1, 2004, shall be eligible
31 to elect to receive benefits pursuant to
32 sections 104.625 and 104.1024; except that in no
33 event shall a lump sum payment be made for any
34 time period after the employee's annuity
35 starting date.

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

41 5. The state may hire employees to replace
42 those employees retiring pursuant to this
43 section and section 104.403, except that
44 departments shall not fill more than twenty-five
45 percent of those positions vacated. Exceptions
46 to the twenty-five percent restriction may be
47 made for critical or seasonal positions or
48 positions which are entirely federally funded.
49 Such determination shall be made by rule and
50 regulation promulgated by the office of
51 administration. The provisions of this
52 subsection shall not apply to Truman University,
53 Lincoln University or the educational
54 institutions described in section 174.020.

55 6. Any rule or portion of a rule, as that
56 term is defined in section 536.010, that is
57 created under the authority delegated in this
58 section shall become effective only if it
59 complies with and is subject to all of the
60 provisions of chapter 536 and, if applicable,
61 section 536.028. This section and chapter 536
62 are nonseverable and if any of the powers vested
63 with the general assembly pursuant to chapter
64 536 to review, to delay the effective date, or

65 to disapprove and annul a rule are subsequently
66 held unconstitutional, then the grant of
67 rulemaking authority and any rule proposed or
68 adopted after August 28, 2003, shall be invalid
69 and void.

70 7. The Missouri state employees'
71 retirement system and the highways and
72 transportation employees' and highway patrol
73 retirement system shall make a report in writing
74 to the governor, commissioner of administration,
75 and the general assembly by April 1, 2004, and
76 in addition shall provide monthly tracking of
77 the effect of state employee retirements
78 pursuant to this section and section 104.403.
79 The report shall cover the time period of
80 February 1, 2003, to January 31, 2004. The
81 report shall include the number of such
82 retirements, the amount of payroll affected as a
83 result of retirements, and the financial effect
84 of such retirements as expressed in a report by
85 each system's actuary.

86 8. The office of administration shall make
87 a report in writing to the governor and the
88 general assembly by April 1, 2004, and in
89 addition shall provide monthly tracking of the
90 budgetary effect of state employee retirements
91 pursuant to this section and section 104.403.
92 The report shall include the amount of payroll
93 reduced as a result of such retirements, the
94 number of positions that are core cut as a
95 result of such retirements, the number of
96 employees employed to replace those who retired
97 pursuant to this section, and the financial
98 effect on the budget, including any costs
99 associated with payment of medical premiums by
100 the state.

101 9. The Missouri consolidated health care
102 plan shall make a report in writing to the
103 governor and the general assembly by April 1,
104 2004, and in addition shall provide monthly
105 tracking of the effect of state employee
106 retirements pursuant to this section and section
107 104.403. The report may include, and not be
108 limited to, the amount of payroll reduced as a
109 result of such retirements, the number of
110 positions that are core cut as a result of such
111 retirements, the number of employees employed to
112 replace those who retired pursuant to this
113 section, and the financial effect on the budget,
114 including any costs associated with payment of
115 medical premiums by the state.]

EXPLANATION: These sections were found to be obsolete by
MOSERS.

2 [135.313. 1. Any person, firm or
3 corporation who engages in the business of
producing charcoal or charcoal products in the

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

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

24 3. The charcoal producer may elect to
 25 assign to a third party the approved tax
 26 credit. Certification of assignment and other
 27 appropriate forms must be filed with the
 28 Missouri department of revenue and the
 29 department of economic development.

30 4. When applying for a tax credit, the
 31 charcoal producer specified in subsection 1 of
 32 this section shall make application for the
 33 credit to the division of environmental quality
 34 of the department of natural resources. The
 35 application shall identify the specific best
 36 available control technology equipment and the
 37 purchase price, or manufacturing cost of such
 38 equipment. The director of the department of
 39 natural resources is authorized to require
 40 permits to construct prior to the installation
 41 of best available control technology equipment
 42 and other information which he or she deems
 43 appropriate.

44 5. The director of the department of
 45 natural resources in conjunction with the
 46 department of economic development shall certify
 47 to the department of revenue that the best
 48 available control technology equipment meets the
 49 requirements to obtain a tax credit as specified
 50 in this section.]

EXPLANATION: The tax credit under this section authorized
 to be claimed for 8 years after 1998 calendar year, plus 7
 year carry forward (2014).

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

3 (1) "Alternative fuel vehicle refueling
 4 property", property in this state owned by an
 5 eligible applicant and used for storing
 6 alternative fuels and for dispensing such

7 alternative fuels into fuel tanks of motor
8 vehicles owned by such eligible applicant or
9 private citizens;

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

13 (a) Ethanol;
14 (b) Natural gas;
15 (c) Compressed natural gas, or CNG;
16 (d) Liquefied natural gas, or LNG;
17 (e) Liquefied petroleum gas, or LP gas,
18 propane, or autogas;

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

21 (g) Hydrogen;
22 (3) "Department", the department of
23 economic development;

24 (4) "Electric vehicle recharging
25 property", property in this state owned by an
26 eligible applicant and used for recharging
27 electric motor vehicles owned by such eligible
28 applicant or private citizens;

29 (5) "Eligible applicant", a business
30 entity or private citizen that is the owner of
31 an electric vehicle recharging property or an
32 alternative fuel vehicle refueling property;

33 (6) "Qualified Missouri contractor", a
34 contractor whose principal place of business is
35 located in Missouri and has been located in
36 Missouri for a period of not less than five
37 years;

38 (7) "Qualified property", an electric
39 vehicle recharging property or an alternative
40 fuel vehicle refueling property which, if
41 constructed after August 28, 2014, was
42 constructed with at least fifty-one percent of
43 the costs being paid to qualified Missouri
44 contractors for the:

45 (a) Fabrication of premanufactured
46 equipment or process piping used in the
47 construction of such facility;

48 (b) Construction of such facility; and
49 (c) General maintenance of such facility
50 during the time period in which such facility
51 receives any tax credit under this section.

52 If no qualified Missouri contractor is located
53 within seventy-five miles of the property, the
54 requirement that fifty-one percent of the costs
55 shall be paid to qualified Missouri contractors
56 shall not apply.

57 2. For all tax years beginning on or after
58 January 1, 2015, but before January 1, 2018, any
59 eligible applicant who installs and operates a
60 qualified property shall be allowed a credit
61 against the tax otherwise due under chapter 143,
62 excluding withholding tax imposed by sections
63 143.191 to 143.265, or due under chapter 147 or

64 chapter 148 for any tax year in which the
65 applicant is constructing the qualified
66 property. The credit allowed in this section
67 per eligible applicant who is a private citizen
68 shall not exceed fifteen hundred dollars or per
69 eligible applicant that is a business entity
70 shall not exceed the lesser of twenty thousand
71 dollars or twenty percent of the total costs
72 directly associated with the purchase and
73 installation of any alternative fuel storage and
74 dispensing equipment or any recharging equipment
75 on any qualified property, which shall not
76 include the following:

- 77 (1) Costs associated with the purchase of
- 78 land upon which to place a qualified property;
- 79 (2) Costs associated with the purchase of
- 80 an existing qualified property; or
- 81 (3) Costs for the construction or purchase
- 82 of any structure.

83 3. Tax credits allowed by this section
84 shall be claimed by the eligible applicant at
85 the time such applicant files a return for the
86 tax year in which the storage and dispensing or
87 recharging facilities were placed in service at
88 a qualified property, and shall be applied
89 against the income tax liability imposed by
90 chapter 143, chapter 147, or chapter 148 after
91 all other credits provided by law have been
92 applied. The cumulative amount of tax credits
93 which may be claimed by eligible applicants
94 claiming all credits authorized in this section
95 shall not exceed one million dollars in any
96 calendar year, subject to appropriations.

97 4. If the amount of the tax credit exceeds
98 the eligible applicant's tax liability, the
99 difference shall not be refundable. Any amount
100 of credit that an eligible applicant is
101 prohibited by this section from claiming in a
102 taxable year may be carried forward to any of
103 such applicant's two subsequent taxable years.
104 Tax credits allowed under this section may be
105 assigned, transferred, sold, or otherwise
106 conveyed.

107 5. Any qualified property, for which an
108 eligible applicant receives tax credits under
109 this section, which ceases to sell alternative
110 fuel or recharge electric vehicles shall cause
111 the forfeiture of such eligible applicant's tax
112 credits provided under this section for the
113 taxable year in which the qualified property
114 ceased to sell alternative fuel or recharge
115 electric vehicles and for future taxable years
116 with no recapture of tax credits obtained by an
117 eligible applicant with respect to such
118 applicant's tax years which ended before the
119 sale of alternative fuel or recharging of
120 electric vehicles ceased.

121 6. The director of revenue shall establish
122 the procedure by which the tax credits in this
123 section may be claimed, and shall establish a
124 procedure by which the cumulative amount of tax
125 credits is apportioned equally among all
126 eligible applicants claiming the credit. To the
127 maximum extent possible, the director of revenue
128 shall establish the procedure described in this
129 subsection in such a manner as to ensure that
130 eligible applicants can claim all the tax
131 credits possible up to the cumulative amount of
132 tax credits available for the taxable year. No
133 eligible applicant claiming a tax credit under
134 this section shall be liable for any interest or
135 penalty for filing a tax return after the date
136 fixed for filing such return as a result of the
137 apportionment procedure under this subsection.

138 7. Any eligible applicant desiring to
139 claim a tax credit under this section shall
140 submit the appropriate application for such
141 credit with the department. The application for
142 a tax credit under this section shall include
143 any information required by the department. The
144 department shall review the applications and
145 certify to the department of revenue each
146 eligible applicant that qualifies for the tax
147 credit.

148 8. The department and the department of
149 revenue may promulgate rules to implement the
150 provisions of this section. Any rule or portion
151 of a rule, as that term is defined in section
152 536.010, that is created under the authority
153 delegated in this section shall become effective
154 only if it complies with and is subject to all
155 of the provisions of chapter 536 and, if
156 applicable, section 536.028. This section and
157 chapter 536 are nonseverable and if any of the
158 powers vested with the general assembly pursuant
159 to chapter 536 to review, to delay the effective
160 date, or to disapprove and annul a rule are
161 subsequently held unconstitutional, then the
162 grant of rulemaking authority and any rule
163 proposed or adopted after August 28, 2008, shall
164 be invalid and void.

165 9. The provisions of section 23.253 of the
166 Missouri sunset act notwithstanding:

167 (1) The provisions of the new program
168 authorized under this section shall
169 automatically sunset three years after December
170 31, 2014, unless reauthorized by an act of the
171 general assembly; and

172 (2) If such program is reauthorized, the
173 program authorized under this section shall
174 automatically sunset six years after the
175 effective date of the reauthorization of this
176 section; and

177 (3) This section shall terminate on
 178 December thirty-first of the calendar year
 179 immediately following the calendar year in which
 180 the program authorized under this section is
 181 sunset; and

182 (4) The provisions of this subsection
 183 shall not be construed to limit or in any way
 184 impair the department's ability to redeem tax
 185 credits authorized on or before the date the
 186 program authorized under this section expires or
 187 a taxpayer's ability to redeem such tax credits.]

EXPLANATION: This section sunset 12-31-2017. NOTE: A
 Sunset Review Report on this section was voted on by the
 Joint Committee on Legislative Research on 9-10-2013.

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

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

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

(a) News or current events programming;

(b) Talk show;

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

(d) Sports event or sports program;

(e) Gala presentation or awards show;

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

(g) Political ad;

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

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

(a) Goods and services leased or purchased
 by the production company. For goods with a
 purchase price of twenty-five thousand dollars
 or more, the amount included in qualifying
 expenses shall be the purchase price less the
 fair market value of the goods at the time the
 production is completed;

43 (b) Compensation and wages paid by the
44 production company on which the production
45 company remitted withholding payments to the
46 department of revenue under chapter 143. For
47 purposes of this section, compensation and wages
48 shall not include any amounts paid to a highly
49 compensated individual;

50 (4) "Tax credit", a credit against the
51 tax otherwise due under chapter 143, excluding
52 withholding tax imposed by sections 143.191 to
53 143.265, or otherwise due under chapter 148;

54 (5) "Taxpayer", any individual,
55 partnership, or corporation as described in
56 section 143.441, 143.471, or section 148.370
57 that is subject to the tax imposed in chapter
58 143, excluding withholding tax imposed by
59 sections 143.191 to 143.265, or the tax imposed
60 in chapter 148 or any charitable organization
61 which is exempt from federal income tax and
62 whose Missouri unrelated business taxable
63 income, if any, would be subject to the state
64 income tax imposed under chapter 143.

65 2. For all taxable years beginning on or
66 after January 1, 1999, but ending on or before
67 December 31, 2007, a taxpayer shall be granted a
68 tax credit for up to fifty percent of the amount
69 of investment in production or
70 production-related activities in any film
71 production project with an expected in-state
72 expenditure budget in excess of three hundred
73 thousand dollars. For all taxable years
74 beginning on or after January 1, 2008, a
75 taxpayer shall be allowed a tax credit for up to
76 thirty-five percent of the amount of qualifying
77 expenses in a qualified film production
78 project. Each film production company shall be
79 limited to one qualified film production project
80 per year. Activities qualifying a taxpayer for
81 the tax credit pursuant to this subsection shall
82 be approved by the office of the Missouri film
83 commission and the department of economic
84 development.

85 3. Taxpayers shall apply for the film
86 production tax credit by submitting an
87 application to the department of economic
88 development, on a form provided by the
89 department. As part of the application, the
90 expected in-state expenditures of the qualified
91 film production project shall be documented. In
92 addition, the application shall include an
93 economic impact statement, showing the economic
94 impact from the activities of the film
95 production project. Such economic impact
96 statement shall indicate the impact on the
97 region of the state in which the film production
98 or production-related activities are located and
99 on the state as a whole.

100 4. For all taxable years ending on or
101 before December 31, 2007, tax credits certified
102 pursuant to subsection 2 of this section shall
103 not exceed one million dollars per taxpayer per
104 year, and shall not exceed a total for all tax
105 credits certified of one million five hundred
106 thousand dollars per year. For all taxable
107 years beginning on or after January 1, 2008, tax
108 credits certified under subsection 1 of this
109 section shall not exceed a total for all tax
110 credits certified of four million five hundred
111 thousand dollars per year. Taxpayers may carry
112 forward unused credits for up to five tax
113 periods, provided all such credits shall be
114 claimed within ten tax periods following the tax
115 period in which the film production or
116 production-related activities for which the
117 credits are certified by the department
118 occurred.

119 5. Notwithstanding any provision of law to
120 the contrary, any taxpayer may sell, assign,
121 exchange, convey or otherwise transfer tax
122 credits allowed in subsection 2 of this
123 section. The taxpayer acquiring the tax credits
124 may use the acquired credits to offset the tax
125 liabilities otherwise imposed by chapter 143,
126 excluding withholding tax imposed by sections
127 143.191 to 143.265, or chapter 148. Unused
128 acquired credits may be carried forward for up
129 to five tax periods, provided all such credits
130 shall be claimed within ten tax periods
131 following the tax period in which the film
132 production or production-related activities for
133 which the credits are certified by the
134 department occurred.

135 6. Under section 23.253 of the Missouri
136 sunset act:

137 (1) The provisions of the new program
138 authorized under this section shall
139 automatically sunset six years after November
140 28, 2007, unless reauthorized by an act of the
141 general assembly; and

142 (2) If such program is reauthorized, the
143 program authorized under this section shall
144 automatically sunset twelve years after the
145 effective date of the reauthorization of this
146 section; and

147 (3) This section shall terminate on
148 September first of the calendar year immediately
149 following the calendar year in which the program
150 authorized under this section is sunset.]

EXPLANATION: This section sunset 11-28-2013. NOTE: A
Sunset Review Report on this section was voted on by the
Joint Committee on Legislative Research on 4-9-2013.

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

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

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

11 (a) Any tax reduction, credit,
 12 forgiveness, abatement, subsidy, or other
 13 tax-relieving measure;

14 (b) Any tax increment financing or similar
 15 financial arrangement;

16 (c) Any monetary or nonmonetary benefit
 17 related to any bond, loan, or similar financial
 18 arrangement;

19 (d) Any reduction, credit, forgiveness,
 20 abatement, subsidy, or other relief related to
 21 any bond, loan, or similar financial
 22 arrangement; and

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

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

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

EXPLANATION: This section expired 12-31-2017.

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

5 (1) The members of the joint committee on
 6 tax policy established in section 21.810;

7 (2) The state treasurer;

8 (3) The state budget director;

9 (4) The director of the department of
 10 revenue, but only if such person has been
 11 appointed by the governor with the advice and
 12 consent of the senate in accordance with Article
 13 IV, Section 51 of the Constitution of Missouri;

14 (5) Three individuals representing the
 15 needs and concerns of individual taxpayers in
 16 this state, one of whom shall be appointed by
 17 the lieutenant governor, one of whom shall be
 18 appointed by the minority floor leader of the
 19 house of representatives, and one of whom shall
 20 be appointed by the minority floor leader of the
 21 senate;

22 (6) A certified public accountant, who
 23 shall be appointed by the lieutenant governor in
 24 consultation with the Missouri Society of
 25 Certified Public Accountants;

26 (7) An independent tax practitioner, who
 shall be appointed by the lieutenant governor in

27 consultation with the Missouri Society of
28 Accountants;

29 (8) An individual with experience
30 operating a business with a headquarters in this
31 state and fewer than fifty employees, who shall
32 be appointed by the speaker of the house of
33 representatives;

34 (9) An individual with experience
35 operating a business with a headquarters in this
36 state and at least fifty employees, who shall be
37 appointed by the president pro tempore of the
38 senate;

39 (10) Two individuals with significant
40 experience in state and local taxation, public
41 or private budgeting and finance, or public
42 services delivery, one of whom shall be
43 appointed by the speaker of the house of
44 representatives in consultation with the
45 Missouri Association of Counties and the other
46 appointed by the president pro tempore of the
47 senate in consultation with Missouri Municipal
48 League; and

49 (11) A member of the Missouri Bar with
50 knowledge of the tax laws of this state,
51 including tax administration and compliance, who
52 shall be appointed by the board of governors of
53 the Missouri Bar.

54 2. Any vacancy on the commission shall be
55 filled in the same manner as the original
56 appointment. Any appointed member of the
57 commission shall serve at the pleasure of the
58 appointing authority. Commission members shall
59 serve without compensation but shall be entitled
60 to reimbursement for actual and necessary
61 expenses incurred in the performance of their
62 official duties.

63 3. The commission shall meet in the
64 capitol building within ten days after its
65 creation and organize by selecting a chair and
66 vice chair from its members. After its
67 organization, the commission shall adopt an
68 agenda establishing at least five hearing
69 dates. The hearings shall be held in different
70 geographic regions of the state and open to the
71 public. Additional meetings may be scheduled
72 and held as often as the chair deems advisable.
73 A majority of the members shall constitute a
74 quorum.

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

76 (1) To make a complete, detailed review
77 and study of the tax structure of the state and
78 its political subdivisions, including tax
79 sources, the impact of taxes, collection
80 procedures, administrative regulations, and all
81 other factors pertinent to the fiscal operation
82 of the state;

83 (2) To identify the strengths and
84 weaknesses of state tax laws, and develop a
85 broad range of improvements that could be made
86 to modernize the tax system, maximize economic
87 development and growth, and maintain necessary
88 government services at an appropriate level;

89 (3) To investigate measures and methods to
90 simplify state tax law, improve tax compliance,
91 and reduce administrative costs; and

92 (4) To examine and study any other aspects
93 of state and local government which may be
94 related to the tax structure of the state.

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

98 (1) Consult with public and private
99 universities and academies, public and private
100 organizations, and private citizens in the
101 performance of its duties;

102 (2) Within the limits of appropriations
103 made for such purpose, employ consultants or
104 others to assist the commission in its work, or
105 contract with public and private entities for
106 analysis and study of current or proposed
107 changes to state and local tax policy; and

108 (3) Make reasonable requests for staff
109 assistance from the research and appropriations
110 staffs of the house of representatives and
111 senate and the committee on legislative
112 research, as well as the office of
113 administration and the department of revenue.

114 6. All state agencies and political
115 subdivisions of the state responsible for the
116 administration of tax policies shall cooperate
117 with and assist the commission in the
118 performance of its duties and shall make
119 available all books, records, and information
120 requested, except such books, records, and
121 information as are by law declared confidential
122 in nature, including individually identifiable
123 information regarding a specific taxpayer.

124 7. The commission may issue interim
125 reports as it deems fit, but it shall provide
126 the governor and the general assembly with
127 reports of its findings and recommendations for
128 legal and administrative changes, along with any
129 proposed legislation the commission recommends
130 for adoption by the general assembly. A
131 preliminary report shall be due by December 31,
132 2016. A final report shall be due December 31,
133 2017.

134 8. The commission shall cease all
135 activities by January 1, 2018. This section
136 shall expire August 28, 2018.]

EXPLANATION: This section expired 8-28-2018.

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

(1) "County average wage", the average wages in each county as determined by the department of economic development for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of this section;

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

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

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

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

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

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

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

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

58 (2) Twenty thousand dollars for each new
59 job created with an annual salary of at least
60 the county average wage if the small business
61 offers health insurance and pays at least fifty
62 percent of such insurance premiums.

63 3. The department of revenue shall
64 establish the procedure by which the deduction
65 provided in this section may be claimed, and may
66 promulgate rules to implement the provisions of
67 this section. Any rule or portion of a rule, as
68 that term is defined in section 536.010, that is
69 created under the authority delegated in this
70 section shall become effective only if it
71 complies with and is subject to all of the
72 provisions of chapter 536 and, if applicable,
73 section 536.028. This section and chapter 536
74 are nonseverable and if any of the powers vested
75 with the general assembly under chapter 536 to
76 review, to delay the effective date, or to
77 disapprove and annul a rule are subsequently
78 held unconstitutional, then the grant of
79 rulemaking authority and any rule proposed or
80 adopted after August 28, 2011, shall be invalid
81 and void.

82 4. Under section 23.253 of the Missouri
83 sunset act:

84 (1) The provisions of the new program
85 authorized under this section shall
86 automatically sunset on December thirty-first
87 three years after August 28, 2011, unless
88 reauthorized by an act of the general assembly;
89 and

90 (2) If such program is reauthorized, the
91 program authorized under this section shall
92 automatically sunset on December thirty-first
93 three years after the effective date of the
94 reauthorization of this section; and

95 (3) This section shall terminate on
96 September first of the calendar year immediately
97 following the calendar year in which the program
98 authorized under this section is sunset.]

EXPLANATION: This section sunset 12-31-2014. NOTE: A
Sunset Review Report on this section was voted on by the
Joint Committee on Legislative Research on 9-10-2013.

2 [143.1008. 1. In each taxable year
3 beginning on or after January 1, 2008, each
4 individual or corporation entitled to a tax
5 refund in an amount sufficient to make a
6 designation under this section may designate
7 that one dollar or any amount in excess of one
8 dollar on a single return, and two dollars or
9 any amount in excess of two dollars on a
10 combined return, of the refund due be credited
11 to the after-school retreat reading and
12 assessment grant program fund. The contribution
designation authorized by this section shall be

13 clearly and unambiguously printed on the first
14 page of each income tax return form provided by
15 this state. If any individual or corporation
16 that is not entitled to a tax refund in an
17 amount sufficient to make a designation under
18 this section wishes to make a contribution to
19 the after-school retreat reading and assessment
20 grant program fund, such individual or
21 corporation may, by separate check, draft, or
22 other negotiable instrument, send in with the
23 payment of taxes, or may send in separately,
24 that amount, clearly designated for the
25 after-school retreat reading and assessment
26 grant program fund, the individual or
27 corporation wishes to contribute. The
28 department of revenue shall deposit such amount
29 to the after-school retreat reading and
30 assessment grant program fund as provided in
31 subsection 2 of this section.

32 2. The director of revenue shall deposit
33 at least monthly all contributions designated by
34 individuals under this section to the state
35 treasurer for deposit to the after-school
36 retreat reading and assessment grant program
37 fund. The fund shall be administered by the
38 department of elementary and secondary education
39 with moneys in the fund distributed as provided
40 under section 167.680.

41 3. The director of revenue shall deposit
42 at least monthly all contributions designated by
43 the corporations under this section, less an
44 amount sufficient to cover the cost of
45 collection, handling, and administration by the
46 department of revenue during fiscal year 2008,
47 to the after-school retreat reading and
48 assessment grant program fund.

49 4. A contribution designated under this
50 section shall only be deposited in the
51 after-school retreat reading and assessment
52 grant program fund after all other claims
53 against the refund from which such contribution
54 is to be made have been satisfied.

55 5. Moneys deposited in the after-school
56 retreat reading and assessment grant program
57 fund shall be distributed by the department of
58 elementary and secondary education in accordance
59 with the provisions of this section and section
60 167.680.

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

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

67 (1) The provisions of the new program
68 authorized under this section shall
69 automatically sunset six years after August 28,

70 2007, unless reauthorized by an act of the
71 general assembly; and
72 (2) If such program is reauthorized, the
73 program authorized under this section shall
74 automatically sunset twelve years after the
75 effective date of the reauthorization of this
76 section; and
77 (3) This section shall terminate on
78 December thirty-first of the calendar year
79 immediately following the calendar year in which
80 the program authorized under this section is
81 sunset.]

EXPLANATION: This section sunset 8-28-2013. NOTE: A
Sunset Review Report on this section was voted on by the
Joint Committee on Legislative Research on 4-9-2013.

2 [143.1009. 1. In each taxable year
3 beginning on or after January 1, 2008, each
4 individual or corporation entitled to a tax
5 refund in an amount sufficient to make a
6 designation under this section may designate
7 that one dollar or any amount in excess of one
8 dollar on a single return, and two dollars or
9 any amount in excess of two dollars on a
10 combined return, of the refund due be credited
11 to the breast cancer awareness trust fund,
12 hereinafter referred to as the trust fund. If
13 any individual or corporation that is not
14 entitled to a tax refund in an amount sufficient
15 to make a designation under this section wishes
16 to make a contribution to the trust fund, such
17 individual or corporation may, by separate
18 check, draft, or other negotiable instrument,
19 send in with the payment of taxes, or may send
20 in separately, that amount, clearly designated
21 for the breast cancer awareness trust fund, the
22 individual or corporation wishes to contribute.
23 The department of revenue shall deposit such
24 amount to the trust fund as provided in
25 subsections 2 and 3 of this section. All moneys
26 credited to the trust fund shall be considered
27 nonstate funds under the provisions of article
28 IV, section 15 of the Missouri Constitution.
29 2. The director of revenue shall deposit
30 at least monthly all contributions designated by
31 individuals under this section to the state
32 treasurer for deposit to the trust fund.
33 3. The director of revenue shall deposit
34 at least monthly all contributions designated by
35 the corporations under this section, less an
36 amount sufficient to cover the costs of
37 collection and handling by the department of
38 revenue, to the state treasury for deposit to
39 the trust fund.
40 4. A contribution designated under this
41 section shall only be deposited in the trust
fund after all other claims against the refund

42 from which such contribution is to be made have
43 been satisfied.

44 5. All moneys transferred to the trust
45 fund shall be distributed by the director of
46 revenue at times the director deems appropriate
47 to the department of health and senior
48 services. Such funds shall be used solely for
49 the purpose of providing breast cancer
50 services. Notwithstanding the provisions of
51 section 33.080 to the contrary, moneys in the
52 trust fund at the end of any biennium shall not
53 be transferred to the credit of the general
54 revenue fund.

55 6. There is hereby created in the state
56 treasury the "Breast Cancer Awareness Trust
57 Fund", which shall consist of money collected
58 under this section. The state treasurer shall
59 be custodian of the fund. In accordance with
60 sections 30.170 and 30.180, the state treasurer
61 may approve disbursements.

62 7. Under section 23.253 of the Missouri
63 sunset act:

64 (1) The provisions of the new program
65 authorized under this section shall
66 automatically sunset six years after August 28,
67 2008, unless reauthorized by an act of the
68 general assembly; and

69 (2) If such program is reauthorized, the
70 program authorized under this section shall
71 automatically sunset twelve years after the
72 effective date of the reauthorization of this
73 section; and

74 (3) This section shall terminate on
75 December thirty-first of the calendar year
76 immediately following the calendar year in which
77 the program authorized under this section is
78 sunset.]

EXPLANATION: This section sunset 8-28-2014. NOTE: A
Sunset Review Report on this section was voted on by the
Joint Committee on Legislative Research on 9-10-2013.

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

17 payment of taxes, or may send in separately,
18 that amount the individual or corporation wishes
19 to contribute. Such amounts shall be clearly
20 designated for the fund.

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

45 3. The director of revenue shall deposit
46 at least monthly all contributions designated by
47 individuals under this section to the state
48 treasurer for deposit to the fund. The director
49 of revenue shall deposit at least monthly all
50 contributions designated by the corporations
51 under this section, less an amount sufficient to
52 cover the costs of collection and handling by
53 the department of revenue, to the state treasury
54 for deposit to the fund. A contribution
55 designated under this section shall only be
56 deposited in the fund after all other claims
57 against the refund from which such contribution
58 is to be made have been satisfied.

59 4. Under section 23.253 of the Missouri
60 sunset act:

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

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

72 (3) This section shall terminate on
73 September first of the calendar year immediately

74 following the calendar year in which the program
75 authorized under this section is sunset.]

EXPLANATION: This section sunset 12-31-2017. NOTE: A
Sunset Review Report on this section was sent to the Joint
Committee on Legislative Research in September 2016.

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

22 [2. There is hereby created in the state
23 treasury the "Puppy Protection Trust Fund",
24 which shall consist of money collected under
25 this section. The state treasurer shall be
26 custodian of the fund. In accordance with
27 sections 30.170 and 30.180, the state treasurer
28 may approve disbursements. The fund shall be a
29 dedicated fund and, upon appropriation, money in
30 the fund shall be used solely for the state
31 department of agriculture's administration of
32 section 273.345. Notwithstanding the provisions
33 of section 33.080 to the contrary, any moneys
34 remaining in the fund at the end of the biennium
35 shall not revert to the credit of the general
36 revenue fund. The state treasurer shall invest
37 moneys in the fund in the same manner as other
38 funds are invested. Any interest and moneys
39 earned on such investments shall be credited to
40 the fund. All moneys credited to the trust fund
41 shall be considered nonstate funds under section
42 15, article IV, Constitution of Missouri. The
43 treasurer shall distribute all moneys deposited
44 in the fund at times the treasurer deems
45 appropriate to the department of agriculture.

46 3. The director of revenue shall deposit
47 at least monthly all contributions designated by
48 individuals under this section to the state
49 treasurer for deposit to the fund. The director
50 of revenue shall deposit at least monthly all
51 contributions designated by the corporations
under this section, less an amount sufficient to

52 cover the costs of collection and handling by
 53 the department of revenue, to the state treasury
 54 for deposit to the fund. A contribution
 55 designated under this section shall only be
 56 deposited in the fund after all other claims
 57 against the refund from which such contribution
 58 is to be made have been satisfied.

59 4. Under section 23.253 of the Missouri
 60 sunset act:

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

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

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

EXPLANATION: This section sunset 12-31-2017. NOTE: A
 Sunset Review Report on this section was sent to the Joint
 Committee on Legislative Research in September 2016.

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

23 2. There is hereby created in the state
 24 treasury the "Developmental Disabilities Waiting
 25 List Equity Trust Fund", which shall consist of
 26 money collected under this section. The state
 27 treasurer shall be custodian of the fund. In
 28 accordance with sections 30.170 and 30.180, the
 29 state treasurer may approve disbursements. The
 fund shall be a dedicated fund and, upon

30 appropriation, money in the fund shall be used
31 solely for the administration of this section
32 and for providing community services and support
33 to people with developmental disabilities and
34 such person's families who are on the
35 developmental disabilities waiting list and are
36 eligible for but not receiving services.
37 Notwithstanding the provisions of section 33.080
38 to the contrary, any moneys remaining in the
39 fund at the end of the biennium shall not revert
40 to the credit of the general revenue fund. The
41 state treasurer shall invest moneys in the fund
42 in the same manner as other funds are invested.
43 Any interest and moneys earned on such
44 investments shall be credited to the fund. All
45 moneys credited to the trust fund shall be
46 considered nonstate funds under section 15,
47 article IV, Constitution of Missouri. The
48 treasurer shall distribute all moneys deposited
49 in the fund at times the treasurer deems
50 appropriate to the department of mental health.
51 The moneys in the developmental disabilities
52 waiting list equity trust fund established in
53 this subsection shall not be appropriated in
54 lieu of general state revenues.

55 3. The director of revenue shall deposit
56 at least monthly all contributions designated by
57 individuals under this section to the state
58 treasurer for deposit to the fund. The director
59 of revenue shall deposit at least monthly all
60 contributions designated by the corporations
61 under this section, less an amount sufficient to
62 cover the costs of collection and handling by
63 the department of revenue, to the state treasury
64 for deposit to the fund. A contribution
65 designated under this section shall only be
66 deposited in the fund after all other claims
67 against the refund from which such contribution
68 is to be made have been satisfied.

69 4. Under section 23.253 of the Missouri
70 sunset act:

71 (1) The provisions of the new program
72 authorized under this section shall
73 automatically sunset on December thirty-first
74 six years after August 28, 2011, unless
75 reauthorized by an act of the general assembly;
76 and

77 (2) If such program is reauthorized, the
78 program authorized under this section shall
79 automatically sunset on December thirty-first
80 twelve years after the effective date of the
81 reauthorization of this section; and

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

EXPLANATION: This section sunset 12-31-2017. NOTE: A Sunset Review Report on this section was sent to the Joint Committee on Legislative Research in September 2016.

2 [161.825. 1. This section shall be known
and may be cited as "Bryce's Law".

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

5 (1) "Autism spectrum disorder", pervasive
6 developmental disorder; Asperger syndrome;
7 childhood disintegrative disorder; Rett
8 syndrome; and autism;

9 (2) "Contribution", a donation of cash,
10 stock, bonds, or other marketable securities, or
11 real property;

12 (3) "Department", the department of
13 elementary and secondary education;

14 (4) "Director", the commissioner of
15 education;

16 (5) "Dyslexia therapy", an appropriate
17 specialized dyslexia instructional program that
18 is systematic, multisensory, and research-based
19 offered in a small group setting to teach
20 students the components of reading instruction
21 including but not limited to phonemic awareness,
22 graphophonemic knowledge, morphology, semantics,
23 syntax, and pragmatics, instruction on
24 linguistic proficiency and fluency with patterns
25 of language so that words and sentences are
26 carriers of meaning, and strategies that
27 students use for decoding, encoding, word
28 recognition, fluency and comprehension delivered
29 by qualified personnel;

30 (6) "Educational scholarships", grants to
31 students or children to cover all or part of the
32 tuition and fees at a qualified nonpublic
33 school, a qualified public school, or a
34 qualified service provider, including
35 transportation;

36 (7) "Eligible child", any child from birth
37 to age five living in Missouri who has an
38 individualized family services program under the
39 first steps program, sections 160.900 to
40 160.933, and whose parent or guardian has
41 completed the complaint procedure under the
42 Individuals with Disabilities Education Act,
43 Part C, and has received an unsatisfactory
44 response; or any child from birth to age five
45 who has been evaluated for qualifying needs as
46 defined in this section by a person qualified to
47 perform evaluations under the first steps
48 program and has been determined to have a
49 qualifying need but who falls below the
50 threshold for eligibility by no less than twenty-
51 five percent;

52 (8) "Eligible student", any elementary or
53 secondary student who attended public school in

54 Missouri the preceding semester, or who will be
55 attending school in Missouri for the first time,
56 who has an individualized education program
57 based on a qualifying needs condition or who has
58 a medical or clinical diagnosis by a qualified
59 health professional of a qualifying needs
60 condition which in the case of dyslexia, may be
61 based on the C-TOPP assessment as an initial
62 indicator of dyslexia and confirmed by further
63 medical or clinical diagnosis;

64 (9) "Parent", includes a guardian,
65 custodian, or other person with authority to act
66 on behalf of the student or child;

67 (10) "Program", the program established in
68 this section;

69 (11) "Qualified health professional", a
70 person licensed under chapter 334 or 337 who
71 possesses credentials as described in rules
72 promulgated jointly by the department of
73 elementary and secondary education and the
74 department of mental health to make a diagnosis
75 of a student's qualifying needs for this program;

76 (12) "Qualified school", either an
77 accredited public elementary or secondary school
78 in a district that is accredited without
79 provision outside of the district in which a
80 student resides or an accredited nonpublic
81 elementary or secondary school in Missouri that
82 complies with all of the requirements of the
83 program and complies with all state laws that
84 apply to nonpublic schools regarding criminal
85 background checks for employees and excludes
86 from employment any person not permitted by
87 state law to work in a nonpublic school;

88 (13) "Qualified service provider", a
89 person or agency authorized by the department to
90 provide services under the first steps program,
91 sections 160.900 to 160.933, and in the case of
92 a provider offering dyslexia therapy, the term
93 also includes a person with national
94 certification as an academic language therapist;

95 (14) "Qualifying needs", an autism
96 spectrum disorder, Down Syndrome, Angelman
97 Syndrome, cerebral palsy, or dyslexia;

98 (15) "Scholarship granting organization",
99 a charitable organization that:

100 (a) Is exempt from federal income tax;

101 (b) Complies with the requirements of this
102 program;

103 (c) Provides education scholarships to
104 students attending qualified schools of their
105 parents' choice or to children receiving
106 services from qualified service providers; and

107 (d) Does not accept contributions on
108 behalf of any eligible student or eligible child
109 from any donor with any obligation to provide

110 any support for the eligible student or eligible
111 child.

112 3. The department of elementary and
113 secondary education shall develop a master list
114 of resources available to the parents of
115 children with an autism spectrum disorder or
116 dyslexia and shall maintain a web page for the
117 information. The department shall also actively
118 seek financial resources in the form of grants
119 and donations that may be devoted to scholarship
120 funds or to clinical trials for behavioral
121 interventions that may be undertaken by
122 qualified service providers. The department may
123 contract out or delegate these duties to a
124 nonprofit organization. Priority in referral
125 for funding shall be given to children who have
126 not yet entered elementary school.

127 4. The director shall determine, at least
128 annually, which organizations in this state may
129 be classified as scholarship granting
130 organizations. The director may require of an
131 organization seeking to be classified as a
132 scholarship granting organization whatever
133 information that is reasonably necessary to make
134 such a determination. The director shall
135 classify an organization as a scholarship
136 granting organization if such organization meets
137 the definition set forth in this section.

138 5. The director shall establish a
139 procedure by which a donor can determine if an
140 organization has been classified as a
141 scholarship granting organization. Scholarship
142 granting organizations shall be permitted to
143 decline a contribution from a donor.

144 6. Each scholarship granting organization
145 shall provide information to the director
146 concerning the identity of each donor making a
147 contribution to the scholarship granting
148 organization.

149 7. (1) The director shall annually make a
150 determination on the number of students in
151 Missouri with an individualized education
152 program based upon qualifying needs as defined
153 in this section. The director shall use ten
154 percent of this number to determine the maximum
155 number of students to receive scholarships from
156 a scholarship granting organization in that year
157 for students with qualifying needs who have at
158 the time of application an individualized
159 education program, plus a number calculated by
160 the director by applying the state's latest
161 available autism, cerebral palsy, Down Syndrome,
162 Angelman Syndrome, and dyslexia incidence rates
163 to the state's population of children from age
164 five to nineteen who are not enrolled in public
165 schools and taking ten percent of that number.
166 The total of these two calculations shall

167 constitute the maximum number of scholarships
168 available to students.

169 (2) The director shall also annually make
170 a determination on the number of children in
171 Missouri whose parent or guardian has enrolled
172 the child in first steps, received an
173 individualized family services program based on
174 qualifying needs, and filed a complaint through
175 the Individuals with Disabilities Education Act,
176 Part C, and received an unsatisfactory
177 response. In addition to this number, the
178 director shall apply the latest available
179 autism, cerebral palsy, Down Syndrome, Angelman
180 Syndrome, and dyslexia incidence rates to the
181 latest available census information for children
182 from birth to age five and determine ten percent
183 of that number for the maximum number of
184 scholarships for children.

185 (3) The director shall publicly announce
186 the number of each category of scholarship
187 opportunities available each year. Once a
188 scholarship granting organization has decided to
189 provide a student or child with a scholarship,
190 it shall promptly notify the director. The
191 director shall keep a running tally of the
192 number of scholarships granted in the order in
193 which they were reported. Once the tally
194 reaches the annual limit of scholarships for
195 eligible students or children, the director
196 shall notify all of the participating
197 scholarship granting organizations that they
198 shall not issue any more scholarships and any
199 more receipts for contributions. If the
200 scholarship granting organizations have not
201 expended all of their available scholarship
202 funds in that year at the time when the limit is
203 reached, the available scholarship funds may be
204 carried over into the next year. These
205 unexpended funds shall not be counted as part of
206 the requirement in subdivision (3) of subsection
207 8 of this section for that year. Any receipt
208 for a scholarship contribution issued by a
209 scholarship granting organization before the
210 director has publicly announced the student or
211 child limit has been reached shall be valid.
212 Beginning with school year 2016-17, the director
213 may adjust the allocation of the proportion of
214 scholarships using information on unmet need and
215 use patterns from the previous school years.
216 The director shall provide notice of the change
217 to the state board of education for its approval.

218 8. Each scholarship granting organization
219 participating in the program shall:

220 (1) Notify the department of its intent to
221 provide educational scholarships to students
222 attending qualified schools or children

223 receiving services from qualified service
224 providers;

225 (2) Provide a department-approved receipt
226 to donors for contributions made to the
227 organization;

228 (3) Ensure that at least ninety percent of
229 its revenue from donations is spent on
230 educational scholarships, and that all revenue
231 from interest or investments is spent on
232 educational scholarships;

233 (4) Ensure that the scholarships provided
234 do not exceed an average of twenty thousand
235 dollars per eligible child or fifty thousand
236 dollars per eligible student;

237 (5) Inform the parent or guardian of the
238 student or child applying for a scholarship that
239 accepting the scholarship is tantamount to a
240 parentally placed private school student
241 pursuant to 34 CFR 300.130 and, thus, neither
242 the department nor any Missouri public school is
243 responsible to provide the student with a free
244 appropriate public education pursuant to the
245 Individuals with Disabilities Education Act or
246 Section 504 of the Rehabilitation Act of 1973;

247 (6) Distribute periodic scholarship
248 payments as checks made out to a student's or
249 child's parent and mailed to the qualified
250 school where the student is enrolled or
251 qualified service provider used by the child.
252 The parent or guardian shall endorse the check
253 before it can be deposited;

254 (7) Cooperate with the department to
255 conduct criminal background checks on all of its
256 employees and board members and exclude from
257 employment or governance any individual who
258 might reasonably pose a risk to the appropriate
259 use of contributed funds;

260 (8) Ensure that scholarships are portable
261 during the school year and can be used at any
262 qualified school that accepts the eligible
263 student or at a different qualified service
264 provider for an eligible child according to a
265 parent's wishes. If a student moves to a new
266 qualified school during a school year or to a
267 different qualified service provider for an
268 eligible child, the scholarship amount may be
269 prorated;

270 (9) Demonstrate its financial
271 accountability by:

272 (a) Submitting a financial information
273 report for the organization that complies with
274 uniform financial accounting standards
275 established by the department and conducted by a
276 certified public accountant; and

277 (b) Having the auditor certify that the
278 report is free of material misstatements;

279 (10) Demonstrate its financial viability,
280 if the organization is to receive donations of
281 fifty thousand dollars or more during the school
282 year, by filing with the department before the
283 start of the school year:

284 (a) A surety bond payable to the state in
285 an amount equal to the aggregate amount of
286 contributions expected to be received during the
287 school year; or

288 (b) Financial information that
289 demonstrates the financial viability of the
290 scholarship granting organization.

291 9. Each scholarship granting organization
292 shall ensure that each participating school or
293 service provider that accepts its scholarship
294 students or children shall:

295 (1) Comply with all health and safety laws
296 or codes that apply to nonpublic schools or
297 service providers;

298 (2) Hold a valid occupancy permit if
299 required by its municipality;

300 (3) Certify that it will comply with 42
301 U.S.C. Section 1981, as amended;

302 (4) Provide academic accountability to
303 parents of the students or children in the
304 program by regularly reporting to the parent on
305 the student's or child's progress;

306 (5) Certify that in providing any
307 educational services or behavior strategies to a
308 scholarship recipient with a medical or clinical
309 diagnosis of or an individualized education
310 program based upon autism spectrum disorder it
311 will:

312 (a) Adhere to the best practices
313 recommendations of the Missouri Autism
314 Guidelines Initiative or document why it is
315 varying from the guidelines;

316 (b) Not use any evidence-based
317 interventions that have been found ineffective
318 by the Centers for Medicare and Medicaid
319 Services as described in the Missouri Autism
320 Guidelines Initiative guide to evidence-based
321 interventions; and

322 (c) Provide documentation in the student's
323 or child's record of the rationale for the use
324 of any intervention that is categorized as
325 unestablished, insufficient evidence, or level 3
326 by the Missouri Autism Guidelines Initiative
327 guide to evidence-based interventions; and

328 (6) Certify that in providing any
329 educational services or behavior strategies to a
330 scholarship recipient with a medical or clinical
331 diagnosis of, or an individualized family
332 services program based upon Down Syndrome,
333 Angelman Syndrome, cerebral palsy, or dyslexia,
334 it will use student, teacher, teaching, and
335 school influences that rank in the zone of

336 desired effects in the meta-analysis of John
337 Hattie, or equivalent analyses as determined by
338 the department, or document why it is using a
339 method that has not been determined by analysis
340 to rank in the zone of desired effects.

341 10. Scholarship granting organizations
342 shall not provide educational scholarships for
343 students to attend any school or children to
344 receive services from any qualified service
345 provider with paid staff or board members who
346 are relatives within the first degree of
347 consanguinity or affinity.

348 11. A scholarship granting organization
349 shall publicly report to the department, by June
350 first of each year, the following information
351 prepared by a certified public accountant
352 regarding its grants in the previous calendar
353 year:

354 (1) The name and address of the
355 scholarship granting organization;

356 (2) The total number and total dollar
357 amount of contributions received during the
358 previous calendar year; and

359 (3) The total number and total dollar
360 amount of educational scholarships awarded
361 during the previous calendar year, including the
362 category of each scholarship, and the total
363 number and total dollar amount of educational
364 scholarships awarded during the previous year to
365 students eligible for free and reduced lunch.

366 12. The department shall adopt rules and
367 regulations consistent with this section as
368 necessary to implement the program.

369 13. The department shall provide a
370 standardized format for a receipt to be issued
371 by a scholarship granting organization to a
372 donor to indicate the value of a contribution
373 received.

374 14. The department shall provide a
375 standardized format for scholarship granting
376 organizations to report the information in this
377 section.

378 15. The department may conduct either a
379 financial review or audit of a scholarship
380 granting organization.

381 16. If the department believes that a
382 scholarship granting organization has
383 intentionally and substantially failed to comply
384 with the requirements of this section, the
385 department may hold a hearing before the
386 director or the director's designee to bar a
387 scholarship granting organization from
388 participating in the program. The director or
389 the director's designee shall issue a decision
390 within thirty days. A scholarship granting
391 organization may appeal the director's decision
392 to the administrative hearing commission for a

393 hearing in accordance with the provisions of
394 chapter 621.

395 17. If the scholarship granting
396 organization is barred from participating in the
397 program, the department shall notify affected
398 scholarship students or children and their
399 parents of this decision within fifteen days.

400 18. Any rule or portion of a rule, as that
401 term is defined in section 536.010, that is
402 created under the authority delegated in this
403 section shall become effective only if it
404 complies with and is subject to all of the
405 provisions of chapter 536 and, if applicable,
406 section 536.028. This section and chapter 536
407 are nonseverable and if any of the powers vested
408 with the general assembly pursuant to chapter
409 536 to review, to delay the effective date, or
410 to disapprove and annul a rule are subsequently
411 held unconstitutional, then the grant of
412 rulemaking authority and any rule proposed or
413 adopted after August 28, 2013, shall be invalid
414 and void.

415 19. The department shall conduct a study
416 of the program with funds other than state
417 funds. The department may contract with one or
418 more qualified researchers who have previous
419 experience evaluating similar programs. The
420 department may accept grants to assist in
421 funding this study.

422 20. The study shall assess:

423 (1) The level of participating students'
424 and children's satisfaction with the program in
425 a manner suitable to the student or child;

426 (2) The level of parental satisfaction
427 with the program;

428 (3) The percentage of participating
429 students who were bullied or harassed because of
430 their special needs status at their resident
431 school district compared to the percentage so
432 bullied or harassed at their qualified school;

433 (4) The percentage of participating
434 students who exhibited behavioral problems at
435 their resident school district compared to the
436 percentage exhibiting behavioral problems at
437 their qualified school;

438 (5) The class size experienced by
439 participating students at their resident school
440 district and at their qualified school; and

441 (6) The fiscal impact to the state and
442 resident school districts of the program.

443 21. The study shall be completed using
444 appropriate analytical and behavioral sciences
445 methodologies to ensure public confidence in the
446 study.

447 22. The department shall provide the
448 general assembly with a final copy of the
449 evaluation of the program by December 31, 2016.

450 23. The public and nonpublic participating
 451 schools and service providers from which
 452 students transfer to participate in the program
 453 shall cooperate with the research effort by
 454 providing student or child assessment instrument
 455 scores and any other data necessary to complete
 456 this study.

457 24. The general assembly may require
 458 periodic updates on the status of the study from
 459 the department. The individuals completing the
 460 study shall make their data and methodology
 461 available for public review while complying with
 462 the requirements of the Family Educational
 463 Rights and Privacy Act, as amended.

464 25. Under section 23.253 of the Missouri
 465 sunset act:

466 (1) The provisions of the new program
 467 authorized under this section shall sunset
 468 automatically on December 31, 2019, unless
 469 reauthorized by an act of the general assembly;
 470 and

471 (2) If such program is reauthorized, the
 472 program authorized under this section shall
 473 sunset automatically on December 31, 2031; and

474 (3) This section shall terminate on
 475 December thirty-first of the calendar year
 476 immediately following the calendar year in which
 477 the program authorized under this section is
 478 sunset.]

EXPLANATION: This section has sunset 12-31-2019. NOTE: A
 Sunset Review Report on this section was voted on by the
 Joint Committee on Legislative Research on 9-10-2019.

2 [161.1055. 1. Subject to appropriations,
 3 the department of elementary and secondary
 4 education shall establish the "Trauma-Informed
 5 Schools Pilot Program".

6 2. Under the trauma-informed schools pilot
 7 program, the department of elementary and
 8 secondary education shall choose five schools to
 9 receive intensive training on the trauma-
 informed approach.

10 3. The five schools chosen for the pilot
 11 program shall be located in the following areas:

12 (1) One public school located in a
 13 metropolitan school district;

14 (2) One public school located in a home
 15 rule city with more than four hundred thousand
 16 inhabitants and located in more than one county;

17 (3) One public school located in a school
 18 district that has most or all of its land area
 19 located in a county with a charter form of
 20 government and with more than nine hundred fifty
 21 thousand inhabitants;

22 (4) One public school located in a school
 23 district that has most or all of its land area
 24 located in a county with a charter form of

25 government and with more than six hundred
26 thousand but fewer than seven hundred thousand
27 inhabitants; and

28 (5) One public school located in any one
29 of the following counties:

30 (a) A county of the third classification
31 without a township form of government and with
32 more than forty-one thousand but fewer than
33 forty-five thousand inhabitants;

34 (b) A county of the third classification
35 without a township form of government and with
36 more than six thousand but fewer than seven
37 thousand inhabitants and with a city of the
38 fourth classification with more than eight
39 hundred but fewer than nine hundred inhabitants
40 as the county seat;

41 (c) A county of the third classification
42 with a township form of government and with more
43 than thirty-one thousand but fewer than thirty-
44 five thousand inhabitants;

45 (d) A county of the third classification
46 without a township form of government and with
47 more than fourteen thousand but fewer than
48 sixteen thousand inhabitants and with a city of
49 the third classification with more than five
50 thousand but fewer than six thousand inhabitants
51 as the county seat;

52 (e) A county of the third classification
53 without a township form of government and with
54 more than eighteen thousand but fewer than
55 twenty thousand inhabitants and with a city of
56 the fourth classification with more than three
57 thousand but fewer than three thousand seven
58 hundred inhabitants as the county seat;

59 (f) A county of the third classification
60 without a township form of government and with
61 more than eighteen thousand but fewer than
62 twenty thousand inhabitants and with a city of
63 the third classification with more than six
64 thousand but fewer than seven thousand
65 inhabitants as the county seat;

66 (g) A county of the third classification
67 without a township form of government and with
68 more than fourteen thousand but fewer than
69 sixteen thousand inhabitants and with a city of
70 the fourth classification with more than one
71 thousand nine hundred but fewer than two
72 thousand one hundred inhabitants as the county
73 seat;

74 (h) A county of the third classification
75 without a township form of government and with
76 more than thirty-seven thousand but fewer than
77 forty-one thousand inhabitants and with a city
78 of the fourth classification with more than
79 eight hundred but fewer than nine hundred
80 inhabitants as the county seat;

81 (i) A county of the third classification
82 with a township form of government and with more
83 than twenty-eight thousand but fewer than thirty-
84 one thousand inhabitants; or

85 (j) A county of the third classification
86 without a township form of government and with
87 more than twelve thousand but fewer than
88 fourteen thousand inhabitants and with a city of
89 the fourth classification with more than five
90 hundred but fewer than five hundred fifty
91 inhabitants as the county seat.

92 4. The department of elementary and
93 secondary education shall:

94 (1) Train the teachers and administrators
95 of the five schools chosen for the pilot program
96 regarding the trauma-informed approach and how
97 to become trauma-informed schools;

98 (2) Provide the five schools with funds to
99 implement the trauma-informed approach; and

100 (3) Closely monitor the progress of the
101 five schools in becoming trauma-informed schools
102 and provide further assistance if necessary.

103 5. The department of elementary and
104 secondary education shall terminate the trauma-
105 informed schools pilot program on August 28,
106 2019. Before December 31, 2019, the department
107 of elementary and secondary education shall
108 submit a report to the general assembly that
109 contains the results of the pilot program,
110 including any benefits experienced by the five
111 schools chosen for the program.

112 6. (1) There is hereby created in the
113 state treasury the "Trauma-Informed Schools
114 Pilot Program Fund". The fund shall consist of
115 any appropriations to such fund. The state
116 treasurer shall be custodian of the fund. In
117 accordance with sections 30.170 and 30.180, the
118 state treasurer may approve disbursements of
119 public moneys in accordance with distribution
120 requirements and procedures developed by the
121 department of elementary and secondary
122 education. The fund shall be a dedicated fund
123 and, upon appropriation, moneys in the fund
124 shall be used solely for the administration of
125 this section.

126 (2) Notwithstanding the provisions of
127 section 33.080 to the contrary, any moneys
128 remaining in the fund at the end of the biennium
129 shall not revert to the credit of the general
130 revenue fund.

131 (3) The state treasurer shall invest
132 moneys in the fund in the same manner as other
133 funds are invested. Any interest and moneys
134 earned on such investments shall be credited to
135 the fund.

136 7. For purposes of this section, the
137 following terms mean:

138 (1) "Trauma-informed approach", an
 139 approach that involves understanding and
 140 responding to the symptoms of chronic
 141 interpersonal trauma and traumatic stress across
 142 the lifespan;

143 (2) "Trauma-informed school", a school
 144 that:

145 (a) Realizes the widespread impact of
 146 trauma and understands potential paths for
 147 recovery;

148 (b) Recognizes the signs and symptoms of
 149 trauma in students, teachers, and staff;

150 (c) Responds by fully integrating
 151 knowledge about trauma into its policies,
 152 procedures, and practices; and

153 (d) Seeks to actively resist
 154 retraumatization.

155 8. The provisions of this section shall
 156 expire December 31, 2019.]

EXPLANATION: This section expired 12-31-2019.

2 [163.024. All moneys received in the Iron
 3 County school fund, Reynolds County school fund,
 4 Jefferson County school fund, and Washington
 5 County school fund from the payment of a civil
 6 penalty pursuant to a consent decree filed in
 7 the United States district court for the eastern
 8 district of Missouri in December, 2011, in the
 9 case of United States of America and State of
 10 Missouri v. the Doe Run Resources Corporation
 11 d/b/a "The Doe Run Company," and the Buick
 12 Resource Recycling Facility, LLC, because of
 13 environmental violations shall not be included
 14 in any district's local effort figure, as such
 15 term is defined in section 163.011. The
 16 provisions of this section shall terminate on
 July 1, 2016.]

EXPLANATION: This section expired 7-01-2016.

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

EXPLANATION: This section became obsolete when subsection 3
 of section 171.033 was repealed in 2014.

2 [172.287. 1. The University of Missouri
 3 shall annually request an appropriation under
 4 capital improvements, subject to availability of
 5 funds, for a program of grants established for
 6 the engineering colleges of the University of
 7 Missouri for the purpose of assisting such
 8 colleges in the purchase of teaching and
 9 research laboratory equipment exclusive of
 10 laboratory or classroom furniture. The amount
 granted for each engineering college may not

11 exceed the lesser of an amount equal to one
 12 thousand two hundred dollars per each such
 13 bachelor's degree awarded in the previous fiscal
 14 year in all engineering programs currently
 15 accredited by the accreditation board for
 16 engineering and technology, or the dollar value
 17 of new funds for equipment purchase which such
 18 colleges may obtain from sources other than
 19 state appropriations for laboratory equipment.

20 2. For purposes of this section, the fair
 21 market value of in-kind contributions of
 22 laboratory equipment to the colleges may be
 23 included as funds for equipment purchase from
 24 sources other than state appropriations. In the
 25 event that new funds for laboratory equipment
 26 purchase obtained by any college of engineering
 27 from such nonstate sources exceed the amount
 28 necessary to reach the maximum dollar limits
 29 herein specified, such excess amounts will be
 30 carried over to the following fiscal year and
 31 considered the same as that year's new equipment
 32 funds from nonstate sources.

33 3. In the event that the appropriations
 34 for this grant program are insufficient to fund
 35 all grants approved for a given fiscal year, all
 36 such grants shall be reduced pro rata as
 37 necessary.

38 4. The provisions of this section shall
 39 terminate on June 30, 2017.]

EXPLANATION: This section terminated 6-30-2017.

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

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

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

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

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

14 (5) "Tuition", any tuition or incidental
 15 fee or both charged by an institution of
 16 postsecondary education, as defined in this
 17 section, for attendance at the institution by a
 18 student as a resident of this state;

19 (6) "Vietnam veteran", a person who served
 20 in the military in Vietnam or the war zone in
 21 Southeast Asia and to whom the following
 22 criteria shall apply:

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

26 (b) The veteran's death was attributable
 to illness that could possibly be a result of

27 exposure to toxic chemicals during the Vietnam
28 Conflict; and

29 (c) The veteran served in the Vietnam
30 theater between 1961 and 1972.

31 2. Within the limits of the amounts
32 appropriated therefor, the coordinating board
33 for higher education shall award annually up to
34 twelve grants to survivors of Vietnam veterans
35 to attend institutions of postsecondary
36 education in this state. If the waiting list of
37 eligible survivors exceeds fifty, the
38 coordinating board may petition the general
39 assembly to expand the quota. If the quota is
40 not expanded the eligibility of survivors on the
41 waiting list shall be extended.

42 3. A survivor may receive a grant pursuant
43 to this section only so long as the survivor is
44 enrolled in a program leading to a certificate,
45 or an associate or baccalaureate degree. In no
46 event shall a survivor receive a grant beyond
47 the completion of the first baccalaureate
48 degree, regardless of age. No survivor shall
49 receive more than one hundred percent of tuition
50 when combined with similar funds made available
51 to such survivor.

52 4. The coordinating board for higher
53 education shall:

54 (1) Promulgate all necessary rules and
55 regulations for the implementation of this
56 section;

57 (2) Determine minimum standards of
58 performance in order for a survivor to remain
59 eligible to receive a grant under this program;

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

64 (4) Provide the forms and determine the
65 procedures necessary for a survivor to apply for
66 and receive a grant under this program.

67 5. In order to be eligible to receive a
68 grant pursuant to this section, a survivor shall
69 be certified as eligible by a Missouri state
70 veterans service officer. Such certification
71 shall be made upon qualified medical
72 certification by a Veterans Administration
73 medical authority that exposure to toxic
74 chemicals contributed to or was the cause of
75 death of the veteran, as defined in subsection 1
76 of this section.

77 6. A survivor who is enrolled or has been
78 accepted for enrollment as an undergraduate
79 postsecondary student at an approved institution
80 of postsecondary education shall receive a grant
81 in an amount not to exceed the least of the
82 following:

83 (1) The actual tuition, as defined in this
84 section, charged at an approved institution
85 where the child is enrolled or accepted for
86 enrollment; or
87 (2) The average amount of tuition charged
88 a Missouri resident at the institutions
89 identified in section 174.020 for attendance as
90 a full-time student, as defined in section
91 173.205.

92 7. A survivor who is a recipient of a
93 grant may transfer from one approved public or
94 private institution of postsecondary education
95 to another without losing his entitlement under
96 this section. The board shall make necessary
97 adjustments in the amount of the grant. If a
98 grant recipient at any time withdraws from the
99 institution of postsecondary education so that
100 under the rules and regulations of that
101 institution he is entitled to a refund of any
102 tuition, fees, or other charges, the institution
103 shall pay the portion of the refund to which he
104 is entitled attributable to the grant for that
105 semester or similar grading period to the
106 board.

107 8. If a survivor is granted financial
108 assistance under any other student aid program,
109 public or private, the full amount of such aid
110 shall be reported to the board by the
111 institution and the eligible survivor.

112 9. Nothing in this section shall be
113 construed as a promise or guarantee that a
114 person will be admitted to an institution of
115 postsecondary education or to a particular
116 institution of postsecondary education, will be
117 allowed to continue to attend an institution of
118 postsecondary education after having been
119 admitted, or will be graduated from an
120 institution of postsecondary education.

121 10. The benefits conferred by this section
122 shall be available to any academically qualified
123 surviving children and spouses of Vietnam
124 veterans as defined in subsection 1 of this
125 section, regardless of the survivor's age, until
126 December 31, 1995. After December 31, 1995, the
127 benefits conferred by this section shall not be
128 available to such persons who are twenty-five
129 years of age or older, except spouses will
130 remain eligible until the fifth anniversary
131 after the death of the veteran.

132 11. This section shall expire on December
133 31, 2015.]

EXPLANATION: This section expired 12-31-2015.

2 [173.680. 1. The department of higher
3 education and workforce development shall
4 conduct a study to identify the information
technology industry certifications most

5 frequently requested by employers in Missouri.
 6 The department of higher education and workforce
 7 development may conduct the study with the
 8 assistance of other state departments and
 9 agencies, the Missouri mathematics and science
 10 coalition, and the governor's advisory council
 11 on science, technology, engineering, and
 12 mathematical issues.

13 2. The department of higher education and
 14 workforce development shall complete the study
 15 no later than January 31, 2015. The department
 16 shall prepare the findings in a report and
 17 provide it to:

- 18 (1) The president pro tempore of the
 19 senate;
 20 (2) The speaker of the house of
 21 representatives;
 22 (3) The joint committee on education;
 23 (4) The governor;
 24 (5) The coordinating board for higher
 25 education; and
 26 (6) The state board of education.]

EXPLANATION: The study under this section was due to be completed by 1-31-2015.

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

EXPLANATION: This section became obsolete when all of the provisions of Chapter 296 were repealed in 1986.

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

EXPLANATION: Study required to be completed by December 31, 2017.

2 [191.425. 1. Upon receipt of federal
 3 funding in accordance with subsection 4 of this
 4 section, there is hereby established within the
 5 department of health and senior services the
 6 "Women's Heart Health Program" to provide heart
 7 disease risk screening to uninsured and
 8 underinsured women.

9 2. The following women shall be eligible
 10 for program services:

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

- 12 (2) Women who are receiving breast and
 13 cervical cancer screenings under the Missouri
 14 show me healthy women program;
 15 (3) Women who are uninsured or whose
 16 insurance does not provide coverage for heart
 17 disease risk screenings; and
 18 (4) Women with a gross family income at or
 19 below two hundred percent of the federal poverty
 20 level.

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

35 4. The women's heart health program shall
 36 be subject to receipt of federal funding which
 37 designates such funding for heart disease risk
 38 screening to uninsured and underinsured women.
 39 In the event that federal funds are not
 40 available for such program, the department shall
 41 not be required to establish or implement the
 42 program.

43 5. Under section 23.253 of the Missouri
 44 sunset act:

45 (1) The provisions of the program
 46 authorized under this section shall
 47 automatically sunset three years after August
 48 28, 2012, unless reauthorized by an act of the
 49 general assembly; and

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

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

EXPLANATION: This section sunset 8-28-2015. NOTE: A
 Sunset Review Report on this section was sent to the Joint
 Committee on Legislative Research in September 2014.

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

7 health care provider shall upon identification
 8 inform such woman of the availability of
 9 services and the option of referral to the
 10 department of health and senior services.

11 2. Upon consent by the woman identified as
 12 having a high risk pregnancy, the physician or
 13 health care provider shall make a report, within
 14 seventy-two hours, to the department of health
 15 and senior services on forms approved by the
 16 department of health and senior services.

17 3. Any physician or health care provider
 18 complying with the provisions of this section,
 19 in good faith, shall have immunity from any
 20 civil liability that might otherwise result by
 21 reason of such actions.

22 4. Referral and associated documentation
 23 provided for in this section shall be
 24 confidential and shall not be used in any
 25 criminal prosecution.

26 5. The consent required by subsection 2 of
 27 this section shall be deemed a waiver of the
 28 physician-patient privilege solely for the
 29 purpose of making the report pursuant to
 30 subsection 2 of this section.]

EXPLANATION: This section became obsolete when the
 Perinatal Substance Abuse Program was terminated in 2005.

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

4 (1) "Department", the department of health
 5 and senior services;

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

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

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

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

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

28 2. Subject to securing a cooperative
 29 agreement with a nonprofit entity for funding of
 30 the program, there is hereby established within
 the department of health and senior services two

31 "Prostate Cancer Pilot Programs" to fund
32 prostate cancer screening and treatment services
33 and to provide education to men residing in this
34 state. One prostate cancer pilot program shall
35 be located in an urban area and one prostate
36 cancer pilot program shall be located in a rural
37 area. The department may directly contract with
38 the Missouri Foundation for Health, or a
39 successor entity, in the delivery of the pilot
40 program. For purposes of this section, the
41 contracting process of the department with these
42 entities need not be governed by the provisions
43 of chapter 34.

44 3. The program shall be open to:
45 (1) Uninsured men or economically
46 challenged men who are at least fifty years old;
47 and
48 (2) On the advice of a physician or at the
49 request of the individual, uninsured men or
50 economically challenged men who are at least
51 thirty-five years of age but less than fifty
52 years of age and who are at high risk for
53 prostate cancer.

54 4. The program shall provide:
55 (1) Prostate cancer screening;
56 (2) Referral services, including services
57 necessary for diagnosis;
58 (3) Treatment services for individuals who
59 are diagnosed with prostate cancer after being
60 screened; and
61 (4) Outreach and education activities to
62 ensure awareness and utilization of program
63 services by uninsured men and economically
64 challenged men.

65 5. Upon appropriation, the department
66 shall distribute grants to administer the
67 program to:

68 (1) Local health departments; and
69 (2) Federally qualified health centers.

70 6. Three years from the date on which the
71 grants were first administered under this
72 section, the department shall report to the
73 governor and general assembly:

74 (1) The number of individuals screened and
75 treated under the program, including racial and
76 ethnic data on the individuals who were screened
77 and treated; and

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

81 7. The department shall promulgate rules
82 to establish guidelines regarding eligibility
83 for the program and to implement the provisions
84 of this section. Any rule or portion of a rule,
85 as that term is defined in section 536.010, that
86 is created under the authority delegated in this
87 section shall become effective only if it

88 complies with and is subject to all of the
 89 provisions of chapter 536 and, if applicable,
 90 section 536.028. This section and chapter 536
 91 are nonseverable and if any of the powers vested
 92 with the general assembly pursuant to chapter
 93 536 to review, to delay the effective date, or
 94 to disapprove and annul a rule are subsequently
 95 held unconstitutional, then the grant of
 96 rulemaking authority and any rule proposed or
 97 adopted after August 28, 2011, shall be invalid
 98 and void.

99 8. Under and pursuant to section 23.253 of
 100 the Missouri sunset act:

101 (1) The provisions of the new program
 102 authorized under this section shall
 103 automatically sunset six years after August 28,
 104 2011, unless reauthorized by an act of the
 105 general assembly; and

106 (2) If such program is reauthorized, the
 107 program authorized under this section shall
 108 automatically sunset six years after the
 109 effective date of the reauthorization of this
 110 section; and

111 (3) This section shall terminate on
 112 September first of the calendar year immediately
 113 following the calendar year in which the program
 114 authorized under this section is sunset.]

EXPLANATION: This section sunset 8-28-2017 (report is due 3
 years from the date of grants under subsection 6). NOTE: A
 Sunset Review Report on this section was sent to the Joint
 Committee on Legislative Research in September 2016.

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

20 2. The committee shall:

21 (1) Review the extent to which the
 22 demonstration program has achieved its purposes;

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

24 (3) Investigate program elements and costs
25 to sustain the program beyond its current
26 demonstration period;

27 (4) Explore cost savings achieved through
28 the demonstration program;

29 (5) Investigate the possibility and need
30 to apply for a waiver from the Centers for
31 Medicare and Medicaid Services.

32 3. The committee shall include fiscal
33 staff from the department of social services,
34 the department of health and senior services,
35 the department of mental health, and the office
36 of administration's division of budget and
37 planning. The committee shall also be comprised
38 of a representative from each of the following:

39 (1) The division of senior and disability
40 services within the department of health and
41 senior services;

42 (2) The MO HealthNet division within the
43 department of social services;

44 (3) The division of developmental
45 disabilities within the department of mental
46 health;

47 (4) Centers for independent living and
48 area agencies on aging currently serving as
49 money follows the person local contact agencies;

50 (5) The Missouri assistive technology
51 council;

52 (6) The Missouri developmental
53 disabilities council;

54 (7) The skilled nursing community
55 predominately serving MO HealthNet participants;

56 (8) The Missouri house of representatives,
57 appointed by the speaker of the house of
58 representatives; and

59 (9) The Missouri senate, appointed by the
60 president pro tempore of the senate.

61 4. The committee may also include other
62 members or work groups deemed necessary to
63 accomplish its purposes, including but not
64 limited to representatives from state agencies,
65 local advisory groups and community members, and
66 members of the general assembly with valuable
67 input regarding the activities of the money
68 follows the person demonstration program.

69 5. The department of social services in
70 cooperation with the department of health and
71 senior services and the department of mental
72 health shall make recommendations based on the
73 findings of the committee and report them to the
74 general assembly and the governor by July 1,
75 2016.

76 6. The provisions of this section shall
77 expire on January 1, 2017.]

EXPLANATION: This section expired 1-01-2017.

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

17 2. This section shall terminate thirty
 18 days following the date notice is provided to
 19 the revisor of statutes that an agreement has
 20 been executed which transfers the Missouri
 21 rehabilitation center from the department of
 22 health and senior services to the board of
 curators of the University of Missouri.]

EXPLANATION: This section terminated 3-27-1997 (The Revisor of Statutes received notice of the transfer on February 25, 1997. Termination date was thirty days following the date of notice.).

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

18 (1) For purposes of this section, "full
 19 child care benefits" shall be the full benefits
 20 awarded to a recipient based on the income
 21 eligibility amount established by the division
 22 through the annual appropriations process as of
 23 August 28, 2012, to qualify for the benefits and
 24 shall not include the transitional child care
 25 benefits that are awarded to recipients whose
 26 income surpasses the eligibility level for full
 27 benefits to continue. The hand-up program shall
 28 be voluntary and shall be designed such that a
 29 participating recipient will not be faced with a
 30 sudden loss of child care benefits should the

31 recipient's income rise above the maximum
32 allowable monthly income for persons to receive
33 full child care benefits as of August 28, 2012.
34 In such instance, the recipient shall be
35 permitted to continue to receive such benefits
36 if the recipient pays a premium, to be paid via
37 a payroll deduction if possible, to be applied
38 only to that portion of the recipient's income
39 above such maximum allowable monthly income for
40 the receipt of full child care benefits as
41 follows:

42 (a) The premium shall be forty-four
43 percent of the recipient's excess adjusted gross
44 income over the maximum allowable monthly income
45 for the applicable family size for the receipt
46 of child care benefits;

47 (b) The premium shall be paid on a monthly
48 basis by the participating recipient, or may be
49 paid on a different periodic basis if through a
50 payroll deduction consistent with the payroll
51 period of the person's employer;

52 (c) The division shall develop a payroll
53 deduction program in conjunction with the
54 department of revenue, and shall promulgate
55 rules for the payment of premiums, through such
56 payroll deduction program or through an
57 alternate method to be determined by the
58 division, owed under the hand-up program; and

59 (d) Participating recipients who fail to
60 pay the premium owed shall be removed
61 permanently from the program after sixty days of
62 nonpayment;

63 (2) Subject to the receipt of federal
64 waivers if necessary, participating recipients
65 shall be eligible to receive child care service
66 benefits at income levels all the way up to the
67 level at which a person's premium equals the
68 value of the child care service benefits
69 received by the recipient;

70 (3) Only those recipients who currently
71 receive full child care benefits as of joining
72 the program and who had been receiving full
73 child care service benefits for a period of at
74 least four months prior to implementation by the
75 division of this program shall be eligible to
76 participate in the program. Only those
77 recipients who agree to the terms of the hand-up
78 program during a ninety-day sign-up period shall
79 be allowed to participate in the program,
80 pursuant to rules to be promulgated by the
81 division; and

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

86 2. The division shall track the number of
87 participants in the hand-up program, premiums

88 and taxes paid by each participant in the
89 program and the aggregate of such premiums and
90 taxes, as well as the aggregate of those taxes
91 paid on income exceeding the maximum allowable
92 income for receiving full child care benefits
93 outside the hand-up program, and shall issue an
94 annual report to the general assembly by January
95 1, 2014, and annually on January first
96 thereafter, detailing the effectiveness of the
97 pilot program in encouraging recipients to
98 increase their income levels above the income
99 maximum applicable to each recipient. The
100 report shall also detail the costs of
101 administration and the increased amount of state
102 income tax paid and premiums paid as a result of
103 the program, as well as an analysis of whether
104 the pilot program could be expanded to include
105 other types of benefits including but not
106 limited to food stamps, temporary assistance for
107 needy families, low-income heating assistance,
108 women, infants and children supplemental
109 nutrition program, the state children's health
110 insurance program, and MO HealthNet benefits.

111 3. The division shall pursue all necessary
112 waivers from the federal government to implement
113 the hand-up program with the goal of allowing
114 participating recipients to receive child care
115 service benefits at income levels all the way up
116 to the level at which a person's premium equals
117 the value of the child care service benefits
118 received by the recipient. If the division is
119 unable to obtain such waivers, the division
120 shall implement the program to the degree
121 possible without such waivers.

122 4. (1) There is hereby created in the
123 state treasury the "Hand-Up Program Premium
124 Fund" which shall consist of premiums collected
125 under this section. The state treasurer shall
126 be custodian of the fund. In accordance with
127 sections 30.170 and 30.180, the state treasurer
128 may approve disbursements. The state treasurer
129 shall invest moneys in the fund in the same
130 manner as other funds are invested. Any
131 interest and moneys earned on such investments
132 shall be credited to the fund. Notwithstanding
133 the provisions of section 33.080 to the
134 contrary, any moneys remaining in the fund at
135 the end of the biennium shall not revert to the
136 credit of the general revenue fund.

137 (2) All premiums received under the
138 program shall be deposited in the fund, out of
139 which the cost of administering the hand-up
140 program shall be paid, as well as the necessary
141 payments to the federal government and to the
142 state general revenue fund. Child care benefits
143 provided under the hand-up program shall

144 continue to be paid for as under the existing
145 state child care assistance program.

146 5. After the first year of the program, or
147 sooner if feasible, the cost of administering
148 the program shall be paid out of the premiums
149 received. Any premiums collected exceeding the
150 cost of administering the program shall, if
151 required by federal law, be shared with the
152 federal government and the state general revenue
153 fund in the same proportion that the federal
154 government shares in the cost of funding the
155 child care assistance program with the state.

156 6. Any rule or portion of a rule, as that
157 term is defined in section 536.010, that is
158 created under the authority delegated under this
159 section shall become effective only if it
160 complies with and is subject to all of the
161 provisions of chapter 536 and, if applicable,
162 section 536.028. This section and chapter 536
163 are nonseverable and if any of the powers vested
164 with the general assembly pursuant to chapter
165 536 to review, to delay the effective date, or
166 to disapprove and annul a rule are subsequently
167 held unconstitutional, then the grant of
168 rulemaking authority and any rule proposed or
169 adopted after August 28, 2012, shall be invalid
170 and void.

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

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

178 (2) If such program is reauthorized, the
179 program authorized under this section shall
180 sunset automatically six years after the
181 effective date of the reauthorization of this
182 section; and

183 (3) This section shall terminate on
184 September first of the calendar year immediately
185 following the calendar year in which the program
186 authorized under this section is sunset.]

EXPLANATION: This section sunset 8-28-2017. NOTE: A
Sunset Review Report on this section was sent to the Joint
Committee on Legislative Research in September 2016.

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

6 (1) There shall be no revisions to a
7 facility's reimbursement rate for providing
8 nursing care services under this chapter upon a
9 change in ownership, management control,
10 operation, stock, leasehold interests by
whatever form for any facility previously

11 licensed or certified for participation in the
12 Medicaid program. Increased costs for the
13 successor owner, management or leaseholder that
14 result from such a change shall not be
15 recognized for purposes of reimbursement;

16 (2) In the case of a newly built facility
17 or part thereof which is less than two years of
18 age and enters the Title XIX program under this
19 chapter after July 1, 1983, a reimbursement rate
20 shall be assigned based on the lesser of
21 projected estimated operating costs or one
22 hundred ten percent of the median rate for the
23 facility's class to include urban and rural
24 categories for each level of care including ICF
25 only and SNF/ICF. The rates set under this
26 provision shall be effective for a period of
27 twelve months from the effective date of the
28 provider agreement at which time the rate for
29 the future year shall be set in accordance with
30 reported costs of the facility recognized under
31 the reimbursement plan and as provided in
32 subdivisions (3) and (4) of this subsection.
33 Rates set under this section may in no case
34 exceed the maximum ceiling amounts in effect
35 under the reimbursement regulation;

36 (3) Reimbursement for capital related
37 expenses for newly built facilities entering the
38 Title XIX program after March 18, 1983, shall be
39 calculated as the building and building
40 equipment rate, movable equipment rate, land
41 rate, and working capital rate.

42 (a) The building and building equipment
43 rate will be the lower of:

44 a. Actual acquisition costs, which is the
45 original cost to construct or acquire the
46 building, not to exceed the costs as determined
47 in section 197.357; or

48 b. Reasonable construction or acquisition
49 cost computed by applying the regional Dodge
50 Construction Index for 1981 with a trend factor,
51 if necessary, or another current construction
52 cost measure multiplied by one hundred eight
53 percent as an allowance for fees authorized as
54 architectural or legal not included in the Dodge
55 Index Value, multiplied by the square footage of
56 the facility not to exceed three hundred twenty-
57 five square feet per bed, multiplied by the
58 ratio of forty minus the actual years of the age
59 of the facility divided by forty; and multiplied
60 by a return rate of twelve percent; and divided
61 by ninety-three percent of the facility's total
62 available beds times three hundred sixty-five
63 days.

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

66 (c) The maximum allowable land area is
67 defined as five acres for a facility with one

68 hundred or less beds and one additional acre for
 69 each additional one hundred beds or fraction
 70 thereof for a facility with one hundred one or
 71 more beds.

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

73 a. For facilities with land areas at or
 74 below the maximum allowable land area, multiply
 75 the acquisition cost of the land by the return
 76 rate of twelve percent, divide by ninety-three
 77 percent of the facility's total available beds
 78 times three hundred sixty-five days.

79 b. For facilities with land areas greater
 80 than the maximum allowable land area, divide the
 81 acquisition cost of the land by the total acres,
 82 multiply by the maximum allowable land area,
 83 multiply by the return rate of twelve percent,
 84 divide by ninety-three percent of the facility's
 85 total available beds times three hundred sixty-
 86 five days.

87 (e) The maximum working capital rate will
 88 be twenty cents per day;

89 (4) If a provider does not provide the
 90 actual acquisition cost to determine a
 91 reimbursement rate under subparagraph a. of
 92 paragraph (a) of subdivision (3) of subsection 1
 93 of this section, the sum of the building and
 94 building equipment rate, movable equipment rate,
 95 land rate, and working capital rate shall be set
 96 at a reimbursement rate of six dollars;

97 (5) For each state fiscal year a
 98 negotiated trend factor shall be applied to each
 99 facility's Title XIX per diem reimbursement
 100 rate. The trend factor shall be determined
 101 through negotiations between the department and
 102 the affected providers and is intended to hold
 103 the providers harmless against increase in
 104 cost. In no circumstances shall the negotiated
 105 trend factor to be applied to state funds exceed
 106 the health care finance administration market
 107 basket price index for that year. The
 108 provisions of this subdivision shall apply to
 109 fiscal year 1996 and thereafter.

110 2. The provisions of subdivisions (1),
 111 (2), (3), and (4) of subsection 1 of this
 112 section shall remain in effect until July 1,
 113 1989, unless otherwise provided by law.]

EXPLANATION: This section expired 07-01-1989.

2 [208.627. 1. The department of social
 3 services shall seek input from the department of
 4 mental health and community-based social service
 5 agencies, which provide case management services
 6 to the elderly, for the purpose of developing a
 7 report outlining areas and strategies by which
 8 the department can deliver case management
 9 services to the elderly by collaboration and
 cooperation with community-based social service

10 agencies, employing licensed personnel. The
 11 report shall include, but not be limited to, the
 12 identification of at-risk elderly,
 13 transportation services, case management
 14 services, nutrition services, health services,
 15 and socialization activities and programs. The
 16 goal of strategies outlined should be to enhance
 17 the quality of life and welfare of Missouri's
 18 elderly population, and specifically Missouri's
 19 at-risk elderly.

20 2. The report required by subsection 1 of
 21 this section shall be delivered to the governor,
 22 the president pro tem of the senate, and the
 23 speaker of the house not later than January 1,
 24 1995. The report shall identify effective and
 25 efficient methods of delivering necessary
 26 services to at-risk elderly.]

EXPLANATION: The report required under this section was due
 1-01-1995.

2 [210.154. 1. There is hereby created
 3 within the department of social services the
 4 "Missouri Task Force on the Prevention of Infant
 5 Abuse and Neglect" to study and make
 6 recommendations to the governor and general
 7 assembly concerning the prevention of infant
 8 abuse and neglect in Missouri. The task force
 9 shall consist of the following nine members:

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

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

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

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

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

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

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

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

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

37 3. The task force shall elect a chair and
 vice-chair at its first meeting, which shall be

38 convened by the director of the department of
 39 social services, or his or her designee, no
 40 later than October 1, 2016. Meetings may be
 41 held by telephone or video conference at the
 42 discretion of the chair.

43 4. Members shall serve on the task force
 44 without compensation but may, subject to
 45 appropriations, be reimbursed for actual and
 46 necessary expenses incurred in the performance
 47 of their official duties as members of the task
 48 force.

49 5. On or before December 31, 2016, the
 50 task force shall submit a report on its findings
 51 and recommendations to the governor and general
 52 assembly.

53 6. The task shall develop recommendations
 54 to reduce infant abuse and neglect, including
 55 but not limited to:

56 (1) Sharing information between the
 57 children's division and hospitals and birthing
 58 centers for the purpose of identifying newborn
 59 infants who may be at risk of abuse and neglect;
 60 and

61 (2) Training division employees and
 62 medical providers to recognize the signs of
 63 infant child abuse and neglect.
 64 The recommendations may include proposals for
 65 specific statutory and regulatory changes and
 66 methods to foster cooperation between state and
 67 local governmental bodies, medical providers,
 68 and child welfare agencies.

69 7. The task force shall expire on January
 70 1, 2017, or upon submission of a report as
 71 provided for under subsection 5 of this section.]

EXPLANATION: This section expired 1-01-2017.

2 [210.1030. 1. There is hereby created the
 3 "Trauma-Informed Care for Children and Families
 4 Task Force". The mission of the task force
 5 shall be to promote the healthy development of
 6 children and their families living in Missouri
 7 communities by promoting comprehensive trauma-
 8 informed children and family support systems and
 9 interagency cooperation.

10 2. The task force shall consist of the
 11 following members:

12 (1) The directors, or their designees, of
 13 the departments of elementary and secondary
 14 education, health and senior services, mental
 15 health, social services, public safety, and
 16 corrections;

17 (2) The director, or his or her designee,
 18 of the office of child advocate;

19 (3) Six members from the private sector
 20 with knowledge of trauma-informed care methods,
 21 two of whom shall be appointed by the speaker of
 the house of representatives, one of whom shall

22 be appointed by the minority leader of the house
23 of representatives, two of whom shall be
24 appointed by the president pro tempore of the
25 senate, and one of whom shall be appointed by
26 the minority leader of the senate;

27 (4) Two members of the house of
28 representatives appointed by the speaker of the
29 house of representatives and one member of the
30 house of representatives appointed by the
31 minority leader of the house of representatives;

32 (5) Two members of the senate appointed by
33 the president pro tempore of the senate and one
34 member of the senate appointed by the minority
35 leader of the senate; and

36 (6) The executive director, or his or her
37 designee, of the Missouri Juvenile Justice
38 Association.

39 3. The task force shall incorporate
40 evidence-based and evidence-informed best
41 practices including, but not limited to, the
42 Missouri Model: A Developmental Framework for
43 Trauma-Informed, with respect to:

44 (1) Early identification of children and
45 youth and their families, as appropriate, who
46 have experienced or are at risk of experiencing
47 trauma;

48 (2) The expeditious referral of such
49 children and youth and their families, as
50 appropriate, who require specialized services to
51 the appropriate trauma-informed support
52 services, including treatment, in accordance
53 with applicable privacy laws; and

54 (3) The implementation of trauma-informed
55 approaches and interventions in child and youth-
56 serving schools, organizations, homes, and other
57 settings to foster safe, stable, and nurturing
58 environments and relationships that prevent and
59 mitigate the effects of trauma.

60 4. The department of social services shall
61 provide such research, clerical, technical, and
62 other services as the task force may require in
63 the performance of its duties.

64 5. The task force, its members, and any
65 staff assigned to the task force shall receive
66 reimbursement for their actual and necessary
67 expenses incurred in attending meetings of the
68 task force or any subcommittee thereof.

69 6. The task force shall meet within two
70 months of August 28, 2018.

71 7. The task force shall report a summary
72 of its activities and any recommendations for
73 legislation to the general assembly and to the
74 joint committee on child abuse and neglect under
75 section 21.771 by January 1, 2019.

76 8. The task force shall terminate on
77 January 1, 2019.]

EXPLANATION: This section terminated 1-01-2019.

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

15 2. Clerical, research and general
16 administrative support staff for the commission
17 shall be provided by the Missouri department of
economic development.]

EXPLANATION: This section became obsolete when sections
215.261 and 215.262 were repealed in 2015.

2 [217.147. 1. There is hereby created the
3 "Sentencing and Corrections Oversight
4 Commission". The commission shall be composed
5 of thirteen members as follows:
6 (1) A circuit court judge to be appointed
7 by the chief justice of the Missouri supreme
8 court;
9 (2) Three members to be appointed by the
10 governor with the advice and consent of the
11 senate, one of whom shall be a victim's
12 advocate, one of whom shall be a representative
13 from the Missouri Sheriffs' Association, and one
14 of whom shall be a representative of the
15 Missouri Association of Counties;
16 (3) The following shall be ex officio,
17 voting members:
18 (a) The chair of the senate judiciary
19 committee, or any successor committee that
20 reviews legislation involving crime and criminal
21 procedure, who shall serve as co-chair of the
22 commission and the ranking minority member of
23 such senate committee;
24 (b) The chair of the appropriations-public
25 safety and corrections committee of the house of
26 representatives, or any successor committee that
27 reviews similar legislation, who shall serve as
28 co-chair and the ranking minority member of such
29 house committee;
30 (c) The director of the Missouri state
31 public defender system, or his or her designee
32 who is a practicing public defender;
33 (d) The executive director of the Missouri
34 office of prosecution services, or his or her
35 designee who is a practicing prosecutor;
36 (e) The director of the department of
corrections, or his or her designee;

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

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

41 2. Beginning with the appointments made
42 after August 28, 2012, the circuit court judge
43 member shall be appointed for four years, two of
44 the members appointed by the governor shall be
45 appointed for three years, and one member
46 appointed by the governor shall be appointed for
47 two years. Thereafter, the members shall be
48 appointed to serve four-year terms and shall
49 serve until a successor is appointed. A vacancy
50 in the office of a member shall be filled by
51 appointment for the remainder of the unexpired
52 term.

53 3. The co-chairs are responsible for
54 establishing and enforcing attendance and voting
55 rules, bylaws, and the frequency, location, and
56 time of meetings, and distributing meeting
57 notices, except that the commission's first
58 meeting shall occur by February 28, 2013, and
59 the commission shall meet at least twice each
60 calendar year.

61 4. The duties of the commission shall
62 include:

63 (1) Monitoring and assisting the
64 implementation of sections 217.703, 217.718, and
65 subsection 4 of section 559.036, and evaluating
66 recidivism reductions, cost savings, and other
67 effects resulting from the implementation;

68 (2) Determining ways to reinvest any cost
69 savings to pay for the continued implementation
70 of the sections listed in subdivision (1) of
71 this subsection and other evidence-based
72 practices for reducing recidivism; and

73 (3) Examining the issue of restitution for
74 crime victims, including the amount ordered and
75 collected annually, methods and costs of
76 collection, and restitution's order of priority
77 in official procedures and documents.

78 5. The department, board, and office of
79 state courts administrator shall collect and
80 report any data requested by the commission in a
81 timely fashion.

82 6. The commission shall issue a report to
83 the speaker of the house of representatives,
84 senate president pro tempore, chief justice of
85 the Missouri supreme court, and governor on
86 December 31, 2013, and annually thereafter,
87 detailing the effects of the sections listed in
88 subdivision (1) of subsection 4 and providing
89 the data and analysis demonstrating those
90 effects. The report may also recommend ways to
91 reinvest any cost savings into evidence-based
92 practices to reduce recidivism and possible

93 changes to sentencing and corrections policies
94 and statutes.

95 7. The department of corrections shall
96 provide administrative support to the commission
97 to carry out the duties of this section.

98 8. No member shall receive any
99 compensation for the performance of official
100 duties, but the members who are not otherwise
101 reimbursed by their agency shall be reimbursed
102 for travel and other expenses actually and
103 necessarily incurred in the performance of their
104 duties.

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

EXPLANATION: This section expired 8-28-2018.

2 [260.900. As used in sections 260.900 to
3 260.960, unless the context clearly indicates
4 otherwise, the following terms mean:
5 (1) "Abandoned dry-cleaning facility", any
6 real property premises or individual leasehold
7 space in which a dry-cleaning facility formerly
8 operated;
9 (2) "Active dry-cleaning facility", any
10 real property premises or individual leasehold
11 space in which a dry-cleaning facility currently
12 operates;
13 (3) "Chlorinated dry-cleaning solvent",
14 any dry-cleaning solvent which contains a
15 compound which has a molecular structure
16 containing the element chlorine;
17 (4) "Commission", the hazardous waste
18 management commission created in section
19 260.365;
20 (5) "Corrective action", those activities
21 described in subsection 1 of section 260.925;
22 (6) "Corrective action plan", a plan
23 approved by the director to perform corrective
24 action at a dry-cleaning facility;
25 (7) "Department", the Missouri department
26 of natural resources;
27 (8) "Director", the director of the
28 Missouri department of natural resources;
29 (9) "Dry-cleaning facility", a commercial
30 establishment that operates, or has operated in
31 the past in whole or in part for the purpose of
32 cleaning garments or other fabrics on site
33 utilizing a process that involves any use of
34 dry-cleaning solvents. Dry-cleaning facility
35 includes all contiguous land, structures and
36 other appurtenances and improvements on the land
37 used in connection with a dry-cleaning facility
38 but does not include prisons, governmental
39 entities, hotels, motels or industrial
40 laundries. Dry-cleaning facility does include
coin-operated dry-cleaning facilities;

- 41 (10) "Dry-cleaning solvent", any and all
42 nonaqueous solvents used or to be used in the
43 cleaning of garments and other fabrics at a
44 dry-cleaning facility and includes but is not
45 limited to perchloroethylene, also known as
46 tetrachloroethylene, chlorinated dry-cleaning,
47 and the products into which such solvents
48 degrade;
- 49 (11) "Dry-cleaning unit", a machine or
50 device which utilizes dry-cleaning solvents to
51 clean garments and other fabrics and includes
52 any associated piping and ancillary equipment
53 and any containment system;
- 54 (12) "Environmental response surcharge",
55 either the active dry-cleaning facility
56 registration surcharge or the dry-cleaning
57 solvent surcharge;
- 58 (13) "Fund", the dry-cleaning
59 environmental response trust fund created in
60 section 260.920;
- 61 (14) "Immediate response to a release",
62 containment and control of a known release in
63 excess of a reportable quantity and notification
64 to the department of any known release in excess
65 of a reportable quantity;
- 66 (15) "Operator", any person who is or has
67 been responsible for the operation of
68 dry-cleaning operations at a dry-cleaning
69 facility;
- 70 (16) "Owner", any person who owns the real
71 property where a dry-cleaning facility is or has
72 operated;
- 73 (17) "Person", an individual, trust, firm,
74 joint venture, consortium, joint-stock company,
75 corporation, partnership, association or limited
76 liability company. Person does not include any
77 governmental organization;
- 78 (18) "Release", any spill, leak, emission,
79 discharge, escape, leak or disposal of
80 dry-cleaning solvent from a dry-cleaning
81 facility into the soils or waters of the state;
- 82 (19) "Reportable quantity", a known
83 release of a dry-cleaning solvent deemed
84 reportable by applicable federal or state law or
85 regulation.]

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

12 existing rules and regulations when necessary to
13 carry out the purposes and provisions of
14 sections 260.900 to 260.960.

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

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

25 (1) Establishing requirements that owners
26 who close dry-cleaning facilities remove
27 dry-cleaning solvents and wastes from such
28 facilities in order to prevent any future
29 releases;

30 (2) Establishing criteria to prioritize
31 the expenditure of funds from the dry-cleaning
32 environmental response trust fund. The criteria
33 shall include consideration of:

34 (a) The benefit to be derived from
35 corrective action compared to the cost of
36 conducting such corrective action;

37 (b) The degree to which human health and
38 the environment are actually affected by
39 exposure to contamination;

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

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

44 (e) Such additional factors as the
45 commission considers relevant;

46 (3) Establishing criteria under which a
47 determination may be made by the department of
48 the level at which corrective action shall be
49 deemed completed.

50 Criteria for determining completion of
51 corrective action shall be based on the factors
52 set forth in subdivision (2) of this subsection
53 and:

54 (a) Individual site characteristics
55 including natural remediation processes;

56 (b) Applicable state water quality
57 standards;

58 (c) Whether deviation from state water
59 quality standards or from established criteria
60 is appropriate, based on the degree to which the
61 desired remediation level is achievable and may
62 be reasonably and cost effectively implemented,
63 subject to the limitation that where a state
64 water quality standard is applicable, a
65 deviation may not result in the application of
66 standards more stringent than that standard; and

67 (d) Such additional factors as the
68 commission considers relevant.]

[260.910. 1. No person shall:

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

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

18 (3) Knowingly make any false material
19 statement or representation in any record,
20 report or other document filed, maintained or
21 used for the purpose of compliance with sections
22 260.900 to 260.960;

23 (4) Knowingly destroy, alter or conceal
24 any record required to be maintained by sections
25 260.900 to 260.960 or rules and regulations
26 adopted pursuant to sections 260.900 to 260.960;

27 (5) Willfully allow a release in excess of
28 a reportable quantity or knowingly fail to make
29 an immediate response to a release in accordance
30 with sections 260.900 to 260.960 and rules and
31 regulations pursuant to sections 260.900 to
32 260.960.

33 2. The director may bring a civil damages
34 action against any person who violates any
35 provisions of subsection 1 of this section.
36 Such civil damages may be assessed in an amount
37 not to exceed five hundred dollars for each
38 violation and are in addition to any other
39 penalty assessed by law.

40 3. In assessing any civil damages pursuant
41 to this section, a court of competent
42 jurisdiction shall consider, when applicable,
43 the following factors:

44 (1) The extent to which the violation
45 presents a hazard to human health;

46 (2) The extent to which the violation has
47 or may have an adverse effect on the
48 environment;

49 (3) The amount of the reasonable costs
50 incurred by the state in detection and
51 investigation of the violation; and

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

2 [260.915. Each operator of an active
dry-cleaning facility shall register with the

3 department on a form provided by the department
4 according to procedures established by the
5 department by rule.]

2 [260.920. 1. There is hereby created
3 within the state treasury a fund to be known as
4 the "Dry-cleaning Environmental Response Trust
5 Fund". All moneys received from the
6 environmental response surcharges, fees, gifts,
7 bequests, donations and moneys recovered by the
8 state pursuant to sections 260.900 to 260.960,
9 except for any moneys paid under an agreement
10 with the director or as civil damages, or any
11 other money so designated shall be deposited in
12 the state treasury to the credit of the
13 dry-cleaning environmental response trust fund,
14 and shall be invested to generate income to the
15 fund. Notwithstanding the provisions of section
16 33.080, the unexpended balance in the
17 dry-cleaning environmental response trust fund
18 at the end of each fiscal year shall not be
19 transferred to the general revenue fund.

20 2. Moneys in the fund may be expended for
21 only the following purposes and for no other
22 governmental purpose:

23 (1) The direct costs of administration and
24 enforcement of sections 260.900 to 260.960; and

25 (2) The costs of corrective action as
26 provided in section 260.925.

27 3. The state treasurer is authorized to
28 deposit all of the moneys in the dry-cleaning
29 environmental response trust fund in any of the
30 qualified depositories of the state. All such
31 deposits shall be secured in such a manner and
32 shall be made upon such terms and conditions as
33 are now or may hereafter be provided by law
34 relative to state deposits. Interest received
35 on such deposits shall be credited to the
36 dry-cleaning environmental response trust fund.

37 4. Any funds received pursuant to sections
38 260.900 to 260.960 and deposited in the
39 dry-cleaning environmental response trust fund
40 shall not be considered a part of "total state
41 revenue" as provided in sections 17 and 18 of
article X of the Missouri Constitution.]

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

- 12 (1) Investigation and assessment of a
13 release from a dry-cleaning facility, including
14 costs of investigations and assessments of
15 contamination which may have moved off of the
16 dry-cleaning facility;
- 17 (2) Necessary or appropriate emergency
18 action, including but not limited to treatment,
19 restoration or replacement of drinking water
20 supplies, to assure that the human health or
21 safety is not threatened by a release or
22 potential release;
- 23 (3) Remediation of releases from
24 dry-cleaning facilities, including contamination
25 which may have moved off of the dry-cleaning
26 facility, which remediation shall consist of the
27 preparation of a corrective action plan and the
28 cleanup of affected soil, groundwater and
29 surface waters, using an alternative that is
30 cost-effective, technologically feasible and
31 reliable, provides adequate protection of human
32 health and environment and to the extent
33 practicable minimizes environmental damage;
- 34 (4) Operation and maintenance of
35 corrective action;
- 36 (5) Monitoring of releases from
37 dry-cleaning facilities including contamination
38 which may have moved off of the dry-cleaning
39 facility;
- 40 (6) Payment of reasonable costs incurred
41 by the director in providing field and
42 laboratory services;
- 43 (7) Reasonable costs of restoring property
44 as nearly as practicable to the condition that
45 existed prior to activities associated with the
46 investigation of a release or cleanup or
47 remediation activities;
- 48 (8) Removal and proper disposal of wastes
49 generated by a release of a dry-cleaning
50 solvent; and
- 51 (9) Payment of costs of corrective action
52 conducted by the department or by entities other
53 than the department but approved by the
54 department, whether or not such corrective
55 action is set out in a corrective action plan;
56 except that, there shall be no reimbursement for
57 corrective action costs incurred before August
58 28, 2000.
- 59 2. Nothing in subsection 1 of this section
60 shall be construed to authorize the department
61 to obligate moneys in the fund for payment of
62 costs that are not integral to corrective action
63 for a release of dry-cleaning solvents from a
64 dry-cleaning facility. Moneys from the fund
65 shall not be used:
- 66 (1) For corrective action at sites that
67 are contaminated by solvents normally used in
68 dry-cleaning operations where the contamination

69 did not result from the operation of a
70 dry-cleaning facility;

71 (2) For corrective action at sites, other
72 than dry-cleaning facilities, that are
73 contaminated by dry-cleaning solvents which were
74 released while being transported to or from a
75 dry-cleaning facility;

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

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

84 (5) For corrective action at sites with
85 active dry-cleaning facilities where the owner
86 or operator is not in compliance with sections
87 260.900 to 260.960, rules and regulations
88 adopted pursuant to sections 260.900 to 260.960,
89 orders of the director pursuant to sections
90 260.900 to 260.960, or any other applicable
91 federal or state environmental statutes, rules
92 or regulations; or

93 (6) For corrective action at sites with
94 abandoned dry-cleaning facilities that have been
95 taken out of operation prior to July 1, 2009,
96 and not documented by or reported to the
97 department by July 1, 2009. Any person
98 reporting such a site to the department shall
99 include any available evidence that the site
100 once contained a dry-cleaning facility.

101 3. Nothing in sections 260.900 to 260.960
102 shall be construed to restrict the department
103 from temporarily postponing completion of
104 corrective action for which moneys from the fund
105 are being expended whenever such postponement is
106 deemed necessary in order to protect public
107 health and the environment.

108 4. At any multisource site, the department
109 shall utilize the moneys in the fund to pay for
110 the proportionate share of the liability for
111 corrective action costs which is attributable to
112 a release from one or more dry-cleaning
113 facilities and for that proportionate share of
114 the liability only.

115 5. At any multisource site, the director
116 is authorized to make a determination of the
117 relative liability of the fund for costs of
118 corrective action, expressed as a percentage of
119 the total cost of corrective action at a site,
120 whether known or unknown. The director shall
121 issue an order establishing such percentage of
122 liability. Such order shall be binding and
123 shall control the obligation of the fund until
124 or unless amended by the director. In the event
125 of an appeal from such order, such percentage of

126 liability shall be controlling for costs
127 incurred during the pendency of the appeal.

128 6. Any authorized officer, employee or
129 agent of the department, or any person under
130 order or contract with the department, may enter
131 onto any property or premises, at reasonable
132 times and with reasonable advance notice to the
133 operator, to take corrective action where the
134 director determines that such action is
135 necessary to protect the public health or
136 environment. If consent is not granted by the
137 operator regarding any request made by any
138 officer, employee or agent of the department, or
139 any person under order or contract with the
140 department, under the provisions of this
141 section, the director may issue an order
142 directing compliance with the request. The
143 order may be issued after such notice and
144 opportunity for consultation as is reasonably
145 appropriate under the circumstances.

146 7. Notwithstanding any other provision of
147 sections 260.900 to 260.960, in the discretion
148 of the director, an operator may be responsible
149 for up to one hundred percent of the costs of
150 corrective action attributable to such operator
151 if the director finds, after notice and an
152 opportunity for a hearing in accordance with
153 chapter 536 that:

154 (1) Requiring the operator to bear such
155 responsibility will not prejudice another owner,
156 operator or person who is eligible, pursuant to
157 the provisions of sections 260.900 to 260.960,
158 to have corrective action costs paid by the
159 fund; and

160 (2) The operator:

161 (a) Caused a release in excess of a
162 reportable quantity by willful or wanton actions
163 and such release was caused by operating
164 practices in violation of existing laws and
165 regulations at the time of the release; or

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

169 (c) Materially obstructs the efforts of
170 the department to carry out its obligations
171 pursuant to sections 260.900 to 260.960; except
172 that, the exercise of legal rights shall not
173 constitute a substantial obstruction; or

174 (d) Caused or allowed a release in excess
175 of a reportable quantity because of a willful
176 material violation of sections 260.900 to
177 260.960 or the rules and regulations adopted by
178 the commission pursuant to sections 260.900 to
179 260.960.

180 8. For purposes of subsection 7 of this
181 section, unless a transfer is made to take
182 advantage of the provisions of subsection 7 of

183 this section, purchasers of stock or other
184 indicia of ownership and other successors in
185 interest shall not be considered to be the same
186 owner or operator as the seller or transferor of
187 such stock or indicia of ownership even though
188 there may be no change in the legal identity of
189 the owner or operator. To the extent that an
190 owner or operator is responsible for corrective
191 action costs pursuant to subsection 7 of this
192 section, such owner or operator shall not be
193 entitled to the exemption provided in subsection
194 5 of section 260.930.

195 9. The fund shall not be liable for the
196 payment of costs in excess of one million
197 dollars at any one contaminated dry-cleaning
198 site. Additionally, the fund shall not be
199 liable for the payment of costs for any one site
200 in excess of twenty-five percent of the total
201 moneys in the fund during any fiscal year.
202 For purposes of this subsection, "contaminated
203 dry-cleaning site" means the areal extent of
204 soil or ground water contaminated with
205 dry-cleaning solvents.

206 10. The owner or operator of an active
207 dry-cleaning facility shall be liable for the
208 first twenty-five thousand dollars of corrective
209 action costs incurred because of a release from
210 an active dry-cleaning facility. The owner of
211 an abandoned dry-cleaning facility shall be
212 liable for the first twenty-five thousand
213 dollars of corrective action costs incurred
214 because of a release from an abandoned
215 dry-cleaning facility. Nothing in this
216 subsection shall be construed to prohibit the
217 department from taking corrective action because
218 the department cannot obtain the deductible.]

2 [260.930. 1. Neither the state of
3 Missouri, the fund, the commission, the director
4 nor the department or agent or employees thereof
5 shall be liable for loss of business, damages or
6 taking of property associated with any
7 corrective action taken pursuant to sections
8 260.900 to 260.960.

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

18 3. Nothing in sections 260.900 to 260.960
19 shall be construed to abrogate or limit any
20 right, remedy, causes of action, or claim by any
person sustaining personal injury or property

21 damage as a result of any release from a
22 dry-cleaning facility, nor shall anything in
23 sections 260.900 to 260.960 be construed to
24 abrogate or limit any liability of any person in
25 any way responsible for any release from a
26 dry-cleaning facility or any damages for
27 personal injury or property damages caused by
28 such a release.

29 4. Moneys in the fund shall not be used
30 for compensating third parties for bodily injury
31 or property damage caused by a release from a
32 dry-cleaning facility, other than property
33 damage included in the corrective action plan
34 approved by the director.

35 5. To the extent that an operator, owner
36 or other person is eligible pursuant to the
37 provisions of sections 260.900 to 260.960 to
38 have corrective action costs paid by the fund,
39 no administrative or judicial claim may be made
40 under state law against any such operator, owner
41 or other person by or on behalf of a state or
42 local government or by any person to either
43 compel corrective action at the dry-cleaning
44 facility site or seek recovery of the costs of
45 corrective action at the dry-cleaning facility
46 which result from the release of dry-cleaning
47 solvents from that dry-cleaning facility or to
48 compel corrective action or seek recovery of the
49 costs of corrective action which result from the
50 release of dry-cleaning solvents from a
51 dry-cleaning facility. The provisions of this
52 subsection shall apply to any dry-cleaning
53 facility or dry-cleaning facility site which has
54 been included in a corrective action plan
55 approved by the director. The director shall
56 only approve a corrective action plan after
57 making a determination that a sufficient balance
58 in the fund exists to implement the plan. No
59 administrative or judicial claim may be made
60 unless the director has rejected the corrective
61 action plan submitted pursuant to section
62 260.925.]

2 [260.935. 1. Every active dry-cleaning
3 facility shall pay, in addition to any other
4 environmental response surcharges, an annual
5 dry-cleaning facility registration surcharge as
6 follows:
7 (1) Five hundred dollars for facilities
8 which use no more than one hundred forty gallons
9 of chlorinated solvents;
10 (2) One thousand dollars for facilities
11 which use more than one hundred forty gallons of
12 chlorinated solvents and less than three hundred
13 sixty gallons of chlorinated solvents per year;
and

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

17 2. The active dry-cleaning facility
18 registration surcharge imposed by this section
19 shall be reported and paid to the department on
20 an annual basis.

21 The commission shall prescribe by
22 administrative rule the procedure for the report
23 and payment required by this section.

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

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

40 5. If any person does not pay the active
41 dry-cleaning facility registration surcharge or
42 any portion of the active dry-cleaning facility
43 registration surcharge imposed by this section
44 by the date prescribed for such payment, the
45 department shall impose and such person shall
46 pay, in addition to the active dry-cleaning
47 facility registration surcharge owed by such
48 person, a penalty of fifteen percent of the
49 active dry-cleaning facility registration
50 surcharge. Such penalty shall be deposited in
51 the dry-cleaning environmental response trust
52 fund.

53 6. If any person does not pay the active
54 dry-cleaning facility registration surcharge or
55 any portion of the active dry-cleaning facility
56 registration surcharge imposed by this section
57 by the date prescribed for such payment, the
58 department shall also impose interest upon the
59 unpaid amount at the rate of ten percent per
60 annum from the date prescribed for the payment
61 of such surcharge and penalties until payment is
62 actually made. Such interest shall be deposited
63 in the dry-cleaning environmental response trust
64 fund.]

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

5 surcharge on the sale or provision of
6 dry-cleaning solvent.

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

13 3. The solvent factor for each
14 dry-cleaning solvent is as follows:

15 (1) For perchloroethylene, the solvent
16 factor is 1.00;

17 (2) For 1,1,1-trichloroethane, the solvent
18 factor is 1.00; and

19 (3) For other chlorinated dry-cleaning
20 solvents, the solvent factor is 1.00.

21 4. In the case of a fraction of a gallon,
22 the dry-cleaning solvent surcharge imposed by
23 this section shall be the same fraction of the
24 fee imposed on a whole gallon.

25 5. The dry-cleaning solvent surcharge
26 required in this section shall be paid to the
27 department by the seller or provider of the
28 dry-cleaning solvent, regardless of the location
29 of such seller or provider.

30 6. The dry-cleaning solvent surcharge
31 required in this section shall be paid by the
32 seller or provider on a quarterly basis and
33 shall be paid to the department for the previous
34 quarter. The commission shall prescribe by
35 administrative rule the procedure for the
36 payment required by this section.

37 7. The department shall provide each
38 person who pays a dry-cleaning solvent surcharge
39 pursuant to this section with a receipt. The
40 receipt or the copy of the receipt shall be
41 produced for inspection at the request of any
42 authorized representative of the department.

43 8. All moneys collected or received by the
44 department pursuant to this section shall be
45 transmitted to the department of revenue for
46 deposit in the state treasury to the credit of
47 the dry-cleaning environmental response trust
48 fund created in section 260.920. Following each
49 annual or quarterly reporting date, the state
50 treasurer shall certify the amount deposited to
51 the department.

52 9. If any seller or provider of
53 dry-cleaning solvent fails or refuses to pay the
54 dry-cleaning solvent surcharge imposed by this
55 section, the department shall impose and such
56 seller or provider shall pay, in addition to the
57 dry-cleaning solvent surcharge owed by the
58 seller or provider, a penalty of fifteen percent
59 of the dry-cleaning solvent surcharge. Such
60 penalty shall be deposited in the dry-cleaning
61 environmental response trust fund.

62 10. If any person does not pay the
63 dry-cleaning solvent surcharge or any portion of
64 the dry-cleaning solvent surcharge imposed by
65 this section by the date prescribed for such
66 payment, the department shall impose and such
67 person shall pay interest upon the unpaid amount
68 at the rate of ten percent per annum from the
69 date prescribed for the payment of such
70 surcharge and penalties until payment is
71 actually made. Such interest shall be deposited
72 in the dry-cleaning environmental response trust
73 fund.

74 11. An operator of a dry-cleaning facility
75 shall not purchase or obtain solvent from a
76 seller or provider who does not pay the
77 dry-cleaning solvent charge, as provided in this
78 section. Any operator of a dry-cleaning
79 facility who fails to obey the provisions of
80 this section shall be required to pay the
81 dry-cleaning solvent surcharge as provided in
82 subsections 2, 3 and 4 of this section for any
83 dry-cleaning solvent purchased or obtained from
84 a seller or provider who fails to pay the proper
85 dry-cleaning solvent surcharge as determined by
86 the department. Any operator of a dry-cleaning
87 facility who fails to follow the provisions of
88 this subsection shall also be charged a penalty
89 of fifteen percent of the dry-cleaning solvent
90 surcharge owed. Any operator of a dry-cleaning
91 facility who fails to obey the provisions of
92 this subsection shall also be subject to the
93 interest provisions of subsection 10 of this
94 section. If a seller or provider of
95 dry-cleaning solvent charges the operator of a
96 dry-cleaning facility the dry-cleaning solvent
97 surcharge provided for in this section when the
98 solvent is purchased or obtained by the operator
99 and the operator can prove that the operator
100 made full payment of the surcharge to the seller
101 or provider but the seller or provider fails to
102 pay the surcharge to the department as required
103 by this section, then the operator shall not be
104 liable pursuant to this subsection for interest,
105 penalties or the seller's or provider's unpaid
106 surcharge. Such surcharges, penalties and
107 interest shall be collected by the department,
108 and all moneys collected pursuant to this
109 subsection shall be deposited in the
110 dry-cleaning environmental response trust fund.]

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

8 first until such time as on April first of any
9 year thereafter the unobligated principal
10 balance of the fund equals two million dollars
11 or less, then the active dry-cleaning facility
12 registration surcharge imposed by section
13 260.935 and the dry-cleaning solvent surcharge
14 imposed by section 260.940 shall again be
15 collected on and after the next July first.

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

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

2 [260.950. 1. All final orders and
3 determinations of the commission or the
4 department made pursuant to the provisions of
5 sections 260.900 to 260.960 are subject to
6 judicial review pursuant to the provisions of
7 chapter 536. All final orders and
8 determinations shall be deemed administrative
9 decisions as that term is defined in chapter
10 536; provided that, no judicial review shall be
11 available, unless all administrative remedies
12 are exhausted.

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

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

5 (1) Receipts of the fund during the
6 preceding calendar year and the sources of the
7 receipts;

8 (2) Disbursements from the fund during the
9 preceding calendar year and the purposes of the
10 disbursements;

11 (3) The extent of corrective action taken
12 pursuant to sections 260.900 to 260.960 during
13 the preceding calendar year; and

14 (4) The prioritization of sites for
expenditures from the fund.]

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

2 [260.965. The provisions of sections
3 260.900 to 260.965 shall expire August 28, 2017.]
EXPLANATION: These sections expired 8-28-2017.

2 [288.501. Notwithstanding any other
3 provision of law to the contrary:
4 (1) If a claimant does not have sufficient
5 wages in the base period to be an insured
6 worker, as those terms are defined in section
7 288.030, the individual's base period shall be
8 the four most recently completed calendar
9 quarters preceding the first day of the
10 individual's benefit year. Such base period
11 shall be known as the "alternate base period".
12 If information as to wages for the most recent
13 quarter of the alternate base period is not
14 available to the deputy from the regular
15 quarterly reports of wage information, which are
16 systematically accessible, the deputy may base
17 the determination of eligibility for benefits on
18 the affidavit of the claimant with respect to
19 wages for that calendar quarter. The claimant
20 shall furnish payroll documentation, where
21 available, in support of the affidavit. The
22 determination based upon the alternate base
23 period as it relates to the claimant's benefit
24 rights shall be amended if the quarterly report
25 of wage information from the employer is timely
26 received and that information causes a change in
27 the determination. No calendar quarter in a
28 base period or alternate base period for a
29 claimant's current benefit year shall be used to
30 establish a subsequent benefit year;
31 (2) The claimant shall not be disqualified
32 from unemployment compensation for separating
33 from employment if that separation is for any
34 compelling family reason. For the purposes of
35 this section, the term "compelling family
36 reason" shall mean:
37 (a) The illness or disability of a member
of the claimant's immediate family, which shall

38 include the claimant's spouse, parent, or minor
39 child under the age of eighteen;

40 (b) The need for the claimant to accompany
41 such claimant's spouse to a location from which
42 it is impractical for the claimant to commute
43 and due to a change in location of the spouse's
44 employment;

45 (c) Domestic violence, verified by
46 reasonable and confidential documentation, which
47 causes the claimant reasonably to believe that
48 the claimant's continued employment would
49 jeopardize the safety of the claimant or of any
50 member of the claimant's family, as defined by
51 the United States Secretary of Labor;

52 (3) A claimant who has commenced training
53 under the Workforce Investment Act of 1998, or
54 director-approved training under section
55 288.055, and has exhausted the claimant's
56 regular unemployment benefits shall be eligible
57 for additional unemployment benefits, not to
58 exceed twenty-six times the claimant's weekly
59 benefit amount. The weekly benefit amount shall
60 be the same as the claimant's regular weekly
61 benefit amount and shall be paid under the same
62 terms and conditions as regular benefits. These
63 training benefits shall be paid after any
64 extended benefits or any similar benefits paid
65 by a federally funded program;

66 (4) Priority for training funds provided
67 under subdivision (3) of this section shall be
68 given to claimants laid off through no fault of
69 their own from Missouri automobile manufacturing
70 facilities;

71 (5) No charges shall be made against an
72 employer's account in respect to benefits paid
73 to a claimant under this section;

74 (6) The director shall separately track
75 payments that were made under this section.
76 Once the amount of payments exceeds the amount
77 of federal incentive funds made available
78 because of the enactment of this section, the
79 unemployment compensation fund shall be
80 reimbursed from general revenue for all
81 subsequent payments to the claimants;

82 (7) The provisions of this section shall
83 be subject to renewal in the second regular
84 session of the ninety-fifth general assembly.
85 If not renewed, the provisions of this section
86 shall expire once the funds provided under the
87 American Recovery and Reinvestment Act of 2009
88 are expended as provided in this section;

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

EXPLANATION: This section was not renewed in 2010 by the 95th General Assembly as required under subdivision (7) and has not been certified by the United States Department of Labor in order to take effect under subdivision (8) of this section.

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

23 2. The task force shall conduct research
24 and compile a report for delivery to the general
25 assembly by December 31, 2018, on the following:
26 (1) The efficacy of the petroleum storage
27 tank insurance fund and program;
28 (2) The sustainability of the petroleum
29 storage tank insurance fund and program;
30 (3) The administration of the petroleum
31 storage tank insurance fund and program;
32 (4) The availability of private insurance
33 for above- and below-ground petroleum storage
34 tanks, and the necessity of insurance subsidies
35 created through the petroleum storage tank
36 insurance program;
37 (5) Compliance with federal programs,
38 regulations, and advisory reports; and
39 (6) The comparability of the petroleum
40 storage tank insurance program to other states'
41 programs and states without such programs.

42 3. The task force shall meet within thirty
43 days after its creation and organize by
44 selecting a chairperson and vice chairperson,
45 one of whom shall be a member of the senate and
46 the other a member of the house of
47 representatives. Thereafter, the task force may
48 meet as often as necessary in order to
49 accomplish the tasks assigned to it.

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

52 5. The members of the task force shall
53 serve without compensation but shall be entitled
54 to reimbursement for actual and necessary
55 expenses incurred in the performance of their
56 official duties.

57 6. This section shall expire on December
58 31, 2018.]

EXPLANATION: This section expired 12-31-2018.

2 [320.093. 1. Any person, firm or
3 corporation who purchases a dry fire hydrant, as
4 defined in section 320.273, or provides an
5 acceptable means of water storage for such dry
6 fire hydrant including a pond, tank or other
7 storage facility with the primary purpose of
8 fire protection within the state of Missouri,
9 shall be eligible for a credit on income taxes
10 otherwise due pursuant to chapter 143, except
11 sections 143.191 to 143.261, as an incentive to
12 implement safe and efficient fire protection
13 controls. The tax credit, not to exceed five
14 thousand dollars, shall be equal to fifty
15 percent of the cost in actual expenditure for
16 any new water storage construction, equipment,
17 development and installation of the dry hydrant,
18 including pipes, valves, hydrants and labor for
19 each such installation of a dry hydrant or new
20 water storage facility. The amount of the tax
21 credit claimed for in-kind contributions shall
22 not exceed twenty-five percent of the total
23 amount of the contribution for which the tax
24 credit is claimed.

25 2. Any amount of credit which exceeds the
26 tax due shall not be refunded but may be carried
27 over to any subsequent taxable year, not to
28 exceed seven years. The person, firm or
29 corporation may elect to assign to a third party
30 the approved tax credit. The certificate of
31 assignment and other appropriate forms shall be
32 filed with the Missouri department of revenue
33 and the department of economic development.

34 3. The person, firm or corporation shall
35 make application for the credit to the
36 department of economic development after
37 receiving approval of the state fire marshal.
38 The fire marshal shall establish by rule
39 promulgated pursuant to chapter 536 the
40 requirements to be met based on the National
41 Resources Conservation Service's Dry Hydrant
42 Standard. The state fire marshal or designated
43 local representative shall review and authorize
44 the construction and installation of any dry
45 fire hydrant site. Only approved dry fire
46 hydrant sites shall be eligible for tax credits
47 as indicated in this section. Under no
 circumstance shall such authority deny any

48 entity the ability to provide a dry fire hydrant
49 site when tax credits are not requested.

50 4. The department of public safety shall
51 certify to the department of revenue that the
52 dry hydrant system meets the requirements to
53 obtain a tax credit as specified in subsection 5
54 of this section.

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

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

64 (2) Each dry hydrant shall be located
65 within twenty-five feet of an all-weather
66 roadway and shall be accessible to fire
67 protection equipment;

68 (3) Dry hydrants shall be located a
69 reasonable distance from other dry or
70 pressurized hydrants; and

71 (4) The site shall provide a measurable
72 economic improvement potential for rural
73 development.

74 6. New credits shall not be awarded under
75 this section after August 28, 2010. The total
76 amount of all tax credits allowed pursuant to
77 this section is five hundred thousand dollars in
78 any one fiscal year as approved by the director
79 of the department of economic development.

80 7. Any rule or portion of a rule, as that
81 term is defined in section 536.010, that is
82 created under the authority delegated in this
83 section shall become effective only if it
84 complies with and is subject to all of the
85 provisions of chapter 536 and, if applicable,
86 section 536.028. This section and chapter 536
87 are nonseverable and if any of the powers vested
88 with the general assembly pursuant to chapter
89 536 to review, to delay the effective date or to
90 disapprove and annul a rule are subsequently
91 held unconstitutional, then the grant of
92 rulemaking authority and any rule proposed or
93 adopted after August 28, 2007, shall be invalid
94 and void.]

EXPLANATION: The authority to issue new tax credits under
this section expired 8-28-2010 (7 yr. carry forward of
credit allowed under subsection 2 until 8-28-2017).

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

6 outside of a surgical, obstetrical, or
7 postoperative course of care:

8 (1) Ablation of targeted nerves;

9 (2) Percutaneous precision needle

10 placement within the spinal column with
11 placement of drugs, such as local anesthetics,
12 steroids, and analgesics, in the spinal column
13 under fluoroscopic guidance. The provisions of
14 this subdivision shall not apply to interlaminar
15 lumbar epidural injections performed in a
16 hospital as defined in section 197.020 or an
17 ambulatory surgery center as defined in section
18 197.200 if the standard of care for Medicare
19 reimbursement for interlaminar or translaminar
20 lumbar epidural injections is changed after
21 August 28, 2012, to allow reimbursement only
22 with the use of image guidance; or

23 (3) Laser or endoscopic discectomy, or the
24 surgical placement of intrathecal infusion
25 pumps, and or spinal cord stimulators.

26 2. Nothing in this section shall be
27 construed to prohibit or restrict the
28 performance of surgical or obstetrical
29 anesthesia services or postoperative pain
30 control by a certified registered nurse
31 anesthetist pursuant to subsection 7 of section
32 334.104 or by an anesthesiologist assistant
33 licensed pursuant to sections 334.400 to
34 334.434.

35 3. The state board of registration for the
36 healing arts may promulgate rules to implement
37 the provisions of this section, except that such
38 authority shall not apply to rulemaking
39 authority to define or regulate the scope of
40 practice of certified registered nurse
41 anesthetists. Any rule or portion of a rule, as
42 that term is defined in section 536.010, that is
43 created under the authority delegated in this
44 section shall become effective only if it
45 complies with and is subject to all of the
46 provisions of chapter 536 and, if applicable,
47 section 536.028. This section and chapter 536
48 are nonseverable and if any of the powers vested
49 with the general assembly pursuant to chapter
50 536 to review, to delay the effective date, or
51 to disapprove and annul a rule are subsequently
52 held unconstitutional, then the grant of
53 rulemaking authority and any rule proposed or
54 adopted after August 28, 2012, shall be invalid
55 and void.

56 4. The provisions of this section shall
57 automatically expire four years after August 28,
58 2012, unless reauthorized by an act of the
59 general assembly.]

EXPLANATION: This section expired 08-28-2016.

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

21 2. The Missouri electronic prior
22 authorization committee shall consist of the
23 following members:

- 24 (1) Two members of the senate, appointed
25 by the president pro tempore of the senate;
- 26 (2) Two members of the house of
27 representatives, appointed by the speaker of the
28 house of representatives;
- 29 (3) One member from an organization of
30 licensed physicians in the state;
- 31 (4) One member who is a physician licensed
32 in Missouri pursuant to chapter 334;
- 33 (5) One member who is a representative of
34 a Missouri pharmacy benefit management company;
- 35 (6) One member from an organization
36 representing licensed pharmacists in the state;
- 37 (7) One member from the business community
38 representing businesses on health insurance
39 issues;
- 40 (8) One member from an organization
41 representing the leading research-based
42 pharmaceutical and biotechnology companies;
- 43 (9) One member from an organization
44 representing the largest generic pharmaceutical
45 trade association;
- 46 (10) One patient advocate;
- 47 (11) One member from an electronic
48 prescription network that facilitates the secure
49 electronic exchange of clinical information
50 between physicians, pharmacies, payers, and
51 pharmacy benefit managers and other health care
52 providers;
- 53 (12) One member from a Missouri-based
54 electronic health records company;
- 55 (13) One member from an organization
56 representing the largest number of hospitals in
the state;

57 (14) One member from a health carrier as
58 such term is defined under section 376.1350;

59 (15) One member from an organization
60 representing the largest number of health
61 carriers in the state, as such term is defined
62 under section 376.1350;

63 (16) The director of the department of
64 social services, or the director's designee;

65 (17) The director of the department of
66 commerce and insurance, who shall be chair of
67 the committee.

68 3. All of the members, except for the
69 members from the general assembly, shall be
70 appointed by the governor no later than
71 September 1, 2012, with the advice and consent
72 of the senate. The staff of the department of
73 commerce and insurance shall provide assistance
74 to the committee.

75 4. The duties of the committee shall be as
76 follows:

77 (1) Before February 1, 2019, monitor and
78 report to the general assembly on the Missouri-
79 based electronic prior authorization pilot
80 program created under subsection 5 of this
81 section including a report of the outcomes and
82 best practices developed as a result of the
83 pilot program and how such information can be
84 used to inform the national standard-setting
85 process;

86 (2) Obtain specific updates from the NCPDP
87 and other pharmacy benefit managers and vendors
88 that are currently engaged in pilot programs
89 working toward national electronic prior
90 authorization standards;

91 (3) Correspond and collaborate with the
92 NCPDP and other such pilots through the exchange
93 of information and ideas;

94 (4) Assist, when asked by the pharmacy
95 benefit manager, with the development of the
96 pilot program created under subsection 5 of this
97 section with an understanding of information on
98 the success and failures of other pilot programs
99 across the country;

100 (5) Prepare a report at the end of each
101 calendar year to be distributed to the general
102 assembly and governor with a summary of the
103 committee's progress and plans for the next
104 calendar year, including a report on Missouri-
105 based efforts to contribute to the establishment
106 of national electronic prior authorization
107 standards. Such annual report shall continue
108 until such time as the NCPDP has established
109 national electronic prior authorization
110 standards or this section has expired, whichever
111 is sooner. The first report shall be completed
112 before January 1, 2013;

113 (6) Upon the adoption of national
 114 electronic prior authorization standards by the
 115 NCPDP, prepare a final report to be distributed
 116 to the general assembly and governor that
 117 identifies the appropriate Missouri
 118 administrative regulations, if any, that will
 119 need to be promulgated by the department of
 120 commerce and insurance, in order to make those
 121 standards effective as soon as practically
 122 possible, and advise the general assembly and
 123 governor if there are any legislative actions
 124 necessary to the furtherance of that end.

125 5. The department of commerce and
 126 insurance and the Missouri electronic prior
 127 authorization committee shall recruit a Missouri-
 128 based pharmacy benefits manager doing business
 129 nationally to volunteer to conduct an electronic
 130 prior authorization pilot program in Missouri.
 131 The pharmacy benefits manager conducting the
 132 pilot program shall ensure that there are
 133 adequate Missouri licensed physicians and an
 134 electronic prior authorization vendor capable
 135 and willing to participate in a Missouri-based
 136 pilot program. Such pilot program established
 137 under this section shall be operational by
 138 January 1, 2014. The department and the
 139 committee may provide advice or assistance to
 140 the pharmacy benefit manager conducting the
 141 pilot program but shall not maintain control or
 142 lead with the direction of the pilot program.

143 6. Pursuant to section 23.253 of the
 144 Missouri sunset act:

145 (1) The provisions of the new program
 146 authorized under this section shall sunset
 147 automatically six years after August 28, 2012,
 148 unless reauthorized by an act of the general
 149 assembly; and

150 (2) If such program is reauthorized, the
 151 program authorized under this section shall
 152 sunset automatically twelve years after the
 153 effective date of the reauthorization of this
 154 section; and

155 (3) This section shall terminate on
 156 September first of the calendar year immediately
 157 following the calendar year in which the program
 158 authorized under this section is sunset.]

EXPLANATION: This section sunset 8-28-2018. NOTE: No
 Sunset Review Report was prepared on this section.

2 [338.700. As used in sections 338.700 to
 3 338.710, the following terms shall mean:

4 (1) "Board", the Missouri board of
 5 pharmacy;

6 (2) "Department", the Missouri department
 7 of health and senior services;

8 (3) "Program", the RX cares for Missouri
 program.]

2 [338.710. 1. There is hereby created in
3 the Missouri board of pharmacy the "RX Cares for
4 Missouri Program". The goal of the program
5 shall be to promote medication safety and to
6 prevent prescription drug abuse, misuse, and
7 diversion in Missouri.

8 2. The board, in consultation with the
9 department, shall be authorized to expend,
10 allocate, or award funds appropriated to the
11 board to private or public entities to develop
12 or provide programs or education to promote
13 medication safety or to suppress or prevent
14 prescription drug abuse, misuse, and diversion
15 in the state of Missouri. In no case shall the
16 authorization include, nor the funds be expended
17 for, any state prescription drug monitoring
18 program including, but not limited to, such as
19 are defined in 38 CFR 1.515. Funds disbursed to
20 a state agency under this section may enhance,
21 but shall not supplant, funds otherwise
22 appropriated to such state agency.

23 3. The board shall be the administrative
24 agency responsible for implementing the program
25 in consultation with the department. The board
26 and the department may enter into interagency
27 agreements between themselves to allow the
28 department to assist in the management or
29 operation of the program. The board may award
30 funds directly to the department to implement,
31 manage, develop, or provide programs or
32 education pursuant to the program.

33 4. After a full year of program operation,
34 the board shall prepare and submit an evaluation
35 report to the governor and the general assembly
36 describing the operation of the program and the
37 funds allocated. Unless otherwise authorized by
38 the general assembly, the program shall expire
on August 28, 2019.]

EXPLANATION: These sections expired 8-28-2019 (see Section 338.710).

2 [393.1073. 1. There is hereby established
3 the "Task Force on Wind Energy", which shall be
4 composed of the following members:

5 (1) Three members of the house of
6 representatives, with two appointed by the
7 speaker of the house of representatives and one
8 appointed by the minority floor leader of the
9 house of representatives;

10 (2) Three members of the senate, with two
11 appointed by the president pro tempore of the
12 senate and one appointed by the minority floor
13 leader of the senate; and

14 (3) Two representatives from Missouri
15 county governments with experience in wind
16 energy valuations, with one being a currently
elected county assessor to be appointed by the

17 speaker of the house of representatives, and one
 18 being a currently elected county clerk to be
 19 appointed by the president pro tempore of the
 20 senate.

21 2. The task force shall conduct public
 22 hearings and research, and shall compile a
 23 report for delivery to the general assembly by
 24 no later than December 31, 2019. Such report
 25 shall include information on the following:

26 (1) The economic benefits and drawbacks of
 27 wind turbines to local communities and the state;

28 (2) The fair, uniform, and standardized
 29 assessment and taxation of wind turbines and
 30 their connected equipment owned by a public
 31 utility company at the county level in all
 32 counties;

33 (3) Compliance with existing federal and
 34 state programs and regulations; and

35 (4) Potential legislation that will
 36 provide a uniform assessment and taxation
 37 methodology for wind turbines and their
 38 connected equipment owned by a public utility
 39 company that will be used in every county of
 40 Missouri.

41 3. The task force shall meet within thirty
 42 days after its creation and shall organize by
 43 selecting a chairperson and vice chairperson,
 44 one of whom shall be a member of the senate and
 45 the other a member of the house of
 46 representatives. Thereafter, the task force may
 47 meet as often as necessary in order to
 48 accomplish the tasks assigned to it. A majority
 49 of the task force shall constitute a quorum, and
 50 a majority vote of such quorum shall be required
 51 for any action.

52 4. The staff of house research and senate
 53 research shall provide necessary clerical,
 54 research, fiscal, and legal services to the task
 55 force, as the task force may request.

56 5. The members of the task force shall
 57 serve without compensation, but any actual and
 58 necessary expenses incurred in the performance
 59 of the task force's official duties by the task
 60 force, its members, and any staff assigned to
 61 the task force shall be paid from the joint
 62 contingent fund.

63 6. This section shall expire on December
 64 31, 2019.]

EXPLANATION: This section expired 12-31-2019.

2 [454.849. The repeal of sections 454.850
 to 454.999 shall become effective June 15, 2016.]

EXPLANATION: This section became obsolete after the 2016
 repeal of sections 454.850 to 454.999.

2 [476.1000. All courts that require
 mandatory electronic filing shall accept, file,
 3 and docket a notice of entry of appearance filed

4 by an attorney in a criminal case if such filing
5 does not exceed one page in length and was sent
6 by fax or regular mail. The provisions of this
7 section shall expire on December 31, 2016.]

EXPLANATION: This section expired 12-31-2016.

2 [559.117. 1. The director of the
3 department of corrections is authorized to
4 establish, as a three-year pilot program, a
5 mental health assessment process.

6 2. Only upon a motion filed by the
7 prosecutor in a criminal case, the judge who is
8 hearing the criminal case in a participating
9 county may request that an offender be placed in
10 the department of corrections for one hundred
11 twenty days for a mental health assessment and
12 for treatment if it appears that the offender
13 has a mental disorder or mental illness such
14 that the offender may qualify for probation
15 including community psychiatric rehabilitation
16 (CPR) programs and such probation is appropriate
17 and not inconsistent with public safety. Before
18 the judge rules upon the motion, the victim
19 shall be given notice of such motion and the
20 opportunity to be heard. Upon recommendation of
21 the court, the department shall determine the
22 offender's eligibility for the mental health
23 assessment process.

24 3. Following this assessment and treatment
25 period, an assessment report shall be sent to
26 the sentencing court and the sentencing court
27 may, if appropriate, release the offender on
28 probation. The offender shall be supervised on
29 probation by a state probation and parole
30 officer, who shall work cooperatively with the
31 department of mental health to enroll eligible
32 offenders in community psychiatric
33 rehabilitation (CPR) programs.

34 4. Notwithstanding any other provision of
35 law, probation shall not be granted under this
36 section to offenders who:

37 (1) Have been found guilty of, or plead
38 guilty to, murder in the second degree under
39 section 565.021;

40 (2) Have been found guilty of, or plead
41 guilty to, rape in the first degree under
42 section 566.030 or forcible rape under section
43 566.030 as it existed prior to August 28, 2013;

44 (3) Have been found guilty of, or plead
45 guilty to, statutory rape in the first degree
46 under section 566.032;

47 (4) Have been found guilty of, or plead
48 guilty to, sodomy in the first degree under
49 section 566.060 or forcible sodomy under section
566.060 as it existed prior to August 28, 2013;

- 50 (5) Have been found guilty of, or plead
 51 guilty to, statutory sodomy in the first degree
 52 under section 566.062;
- 53 (6) Have been found guilty of, or plead
 54 guilty to, child molestation in the first degree
 55 under section 566.067 when classified as a class
 56 A felony;
- 57 (7) Have been found to be a predatory
 58 sexual offender under section 566.125; or
- 59 (8) Have been found guilty of, or plead
 60 guilty to, any offense for which there exists a
 61 statutory prohibition against either probation
 62 or parole.
- 63 5. At the end of the three-year pilot, the
 64 director of the department of corrections and
 65 the director of the department of mental health
 66 shall jointly submit recommendations to the
 67 governor and to the general assembly by December
 68 31, 2015, on whether to expand the process
 69 statewide.]

EXPLANATION: Authorization for the three-year pilot project expired 12-31-2015.

- 2 [620.1910. 1. This section shall be known
 and may be cited as the "Manufacturing Jobs Act".
- 3 2. As used in this section, the following
 4 terms mean:
- 5 (1) "Approval", a document submitted by
 6 the department to the qualified manufacturing
 7 company or qualified supplier that states the
 8 benefits that may be provided under this section;
- 9 (2) "Capital investment", expenditures
 10 made by a qualified manufacturing company to
 11 retool or reconfigure a manufacturing facility
 12 directly related to the manufacturing of a new
 13 product or the expansion or modification of the
 14 manufacture of an existing product;
- 15 (3) "County average wage", the same
 16 meaning as such term is defined in section
 17 620.1878;
- 18 (4) "Department", the department of
 19 economic development;
- 20 (5) "Facility", a building or buildings
 21 located in Missouri at which the qualified
 22 manufacturing company manufactures a product;
- 23 (6) "Full-time job", a job for which a
 24 person is compensated for an average of at least
 25 thirty-five hours per week for a twelve-month
 26 period, and one for which the qualified
 27 manufacturing company or qualified supplier
 28 offers health insurance and pays at least fifty
 29 percent of such insurance premiums;
- 30 (7) "NAICS industry classification", the
 31 most recent edition of the North American
 32 Industry Classification System as prepared by
 33 the Executive Office of the President, Office of
 34 Management and Budget;

35 (8) "New job", the same meaning as such
36 term is defined in section 620.1878;

37 (9) "New product", a new model or line of
38 a manufactured good that has not been
39 manufactured in Missouri by the qualified
40 manufacturing company at any time prior to the
41 date of the notice of intent, or an existing
42 brand, model, or line of a manufactured good
43 that is redesigned with more than seventy-five
44 percent new exterior body parts and incorporates
45 new powertrain options;

46 (10) "Notice of intent", a form developed
47 by the department, completed by the qualified
48 manufacturing company or qualified supplier and
49 submitted to the department which states the
50 qualified manufacturing company's or qualified
51 supplier's intent to create new jobs or retain
52 current jobs and make additional capital
53 investment, as applicable, and request benefits
54 under this section. The notice of intent shall
55 specify the minimum number of such new or
56 retained jobs and the minimum amount of such
57 capital investment;

58 (11) "Qualified manufacturing company", a
59 business with a NAICS code of 33611 that:

60 (a) Manufactures goods at a facility in
61 Missouri;

62 (b) In the case of the manufacture of a
63 new product, commits to make a capital
64 investment of at least seventy-five thousand
65 dollars per retained job within no more than two
66 years of the date the qualified manufacturing
67 company begins to retain withholding tax under
68 this section, or in the case of the modification
69 or expansion of the manufacture of an existing
70 product, commits to make a capital investment of
71 at least fifty thousand dollars per retained job
72 within no more than two years of the date the
73 qualified manufacturing company begins to retain
74 withholding tax under this section;

75 (c) Manufactures a new product or has
76 commenced making capital improvements to the
77 facility necessary for the manufacturing of such
78 new product, or modifies or expands the
79 manufacture of an existing product or has
80 commenced making capital improvements to the
81 facility necessary for the modification or
82 expansion of the manufacture of such existing
83 product; and

84 (d) Continues to meet the requirements of
85 paragraphs (a) to (c) of this subdivision for
86 the withholding period;

87 (12) "Qualified supplier", a manufacturing
88 company that:

89 (a) Attests to the department that it
90 derives more than ten percent of the total

91 annual sales of the company from sales to a
92 qualified manufacturing company;

93 (b) Adds five or more new jobs;

94 (c) Has an average wage, as defined in
95 section 135.950, for such new jobs that are
96 equal to or exceed the lower of the county
97 average wage for Missouri as determined by the
98 department using NAICS industry classifications,
99 but not lower than sixty percent of the
100 statewide average wage; and

101 (d) Provides health insurance for all
102 full-time jobs and pays at least fifty percent
103 of the premiums of such insurance;

104 (13) "Retained job", the number of
105 full-time jobs of persons employed by the
106 qualified manufacturing company located at the
107 facility that existed as of the last working day
108 of the month immediately preceding the month in
109 which notice of intent is submitted;

110 (14) "Statewide average wage", an amount
111 equal to the quotient of the sum of the total
112 gross wages paid for the corresponding four
113 calendar quarters divided by the average annual
114 employment for such four calendar quarters,
115 which shall be computed using the Quarterly
116 Census of Employment and Wages Data for All
117 Private Ownership Businesses in Missouri, as
118 published by the Bureau of Labor Statistics of
119 the United States Department of Labor;

120 (15) "Withholding period", the seven- or
121 ten-year period in which a qualified
122 manufacturing company may receive benefits under
123 this section;

124 (16) "Withholding tax", the same meaning
125 as such term is defined in section 620.1878.

126 3. The department shall respond within
127 thirty days to a qualified manufacturing company
128 or a qualified supplier who provides a notice of
129 intent with either an approval or a rejection of
130 the notice of intent. Failure to respond on
131 behalf of the department shall result in the
132 notice of intent being deemed an approval for
133 the purposes of this section.

134 4. A qualified manufacturing company that
135 manufactures a new product may, upon the
136 department's approval of a notice of intent and
137 the execution of an agreement that meets the
138 requirements of subsection 9 of this section,
139 but no earlier than January 1, 2012, retain one
140 hundred percent of the withholding tax from
141 full-time jobs at the facility for a period of
142 ten years. A qualified manufacturing company
143 that modifies or expands the manufacture of an
144 existing product may, upon the department's
145 approval of a notice of intent and the execution
146 of an agreement that meets the requirements of
147 subsection 9 of this section, but no earlier

148 than January 1, 2012, retain fifty percent of
149 the withholding tax from full-time jobs at the
150 facility for a period of seven years. Except as
151 otherwise allowed under subsection 7 of this
152 section, the commencement of the withholding
153 period may be delayed by no more than
154 twenty-four months after execution of the
155 agreement at the option of the qualified
156 manufacturing company. Such qualified
157 manufacturing company shall be eligible for
158 participation in the Missouri quality jobs
159 program in sections 620.1875 to 620.1890 for any
160 new jobs for which it does not retain
161 withholding tax under this section, provided all
162 qualifications for such program are met.

163 5. A qualified supplier may, upon approval
164 of a notice of intent by the department, retain
165 all withholding tax from new jobs for a period
166 of three years from the date of approval of the
167 notice of intent or for a period of five years
168 if the supplier pays wages for the new jobs
169 equal to or greater than one hundred twenty
170 percent of county average wage. Notwithstanding
171 any other provision of law to the contrary, a
172 qualified supplier that is awarded benefits
173 under this section shall not receive any tax
174 credit or exemption or be entitled to retain
175 withholding under sections 100.700 to 100.850,
176 sections 135.100 to 135.150, sections 135.200 to
177 135.286, section 135.535, sections 135.900 to
178 135.906, sections 135.950 to 135.970, or section
179 620.1881 for the same jobs.

180 6. Notwithstanding any other provision of
181 law to the contrary, the maximum amount of
182 withholding tax that may be retained by any one
183 qualified manufacturing company under this
184 section shall not exceed ten million dollars per
185 calendar year. The aggregate amount of
186 withholding tax that may be retained by all
187 qualified manufacturing companies under this
188 section shall not exceed fifteen million dollars
189 per calendar year.

190 7. Notwithstanding any other provision of
191 law to the contrary, any qualified manufacturing
192 company that is awarded benefits under this
193 section shall not simultaneously receive tax
194 credits or exemptions under sections 100.700 to
195 100.850, sections 135.100 to 135.150, sections
196 135.200 to 135.286, section 135.535, or sections
197 135.900 to 135.906 for the jobs created or
198 retained or capital improvement which qualified
199 for benefits under this section. The benefits
200 available to the qualified manufacturing company
201 under any other state programs for which the
202 qualified manufacturing company is eligible and
203 which utilize withholding tax from the jobs at
204 the facility shall first be credited to the

205 other state program before the applicable
206 withholding period for benefits provided under
207 this section shall begin. These other state
208 programs include, but are not limited to, the
209 Missouri works jobs training program under
210 sections 620.800 to 620.809, the real property
211 tax increment allocation redevelopment act under
212 sections 99.800 to 99.865, or the Missouri
213 downtown and rural economic stimulus act under
214 sections 99.915 to 99.980. If any qualified
215 manufacturing company also participates in the
216 Missouri works jobs training program in sections
217 620.800 to 620.809, such qualified manufacturing
218 company shall not retain any withholding tax
219 that has already been allocated for use in the
220 new jobs training program. Any qualified
221 manufacturing company or qualified supplier that
222 is awarded benefits under this program and
223 knowingly hires individuals who are not allowed
224 to work legally in the United States shall
225 immediately forfeit such benefits and shall
226 repay the state an amount equal to any
227 withholding taxes already retained. Subsection
228 5 of section 285.530 shall not apply to
229 qualified manufacturing companies or qualified
230 suppliers which are awarded benefits under this
231 program.

232 8. The department may promulgate rules to
233 implement the provisions of this section. Any
234 rule or portion of a rule, as that term is
235 defined in section 536.010, that is created
236 under the authority delegated in this section
237 shall become effective only if it complies with
238 and is subject to all of the provisions of
239 chapter 536 and, if applicable, section
240 536.028. This section and chapter 536 are
241 nonseverable and if any of the powers vested
242 with the general assembly under chapter 536 to
243 review, to delay the effective date, or to
244 disapprove and annul a rule are subsequently
245 held unconstitutional, then the grant of
246 rulemaking authority and any rule proposed or
247 adopted after the effective date of this section
248 shall be invalid and void.

249 9. Within six months of completion of a
250 notice of intent required under this section,
251 the qualified manufacturing company shall enter
252 into an agreement with the department that
253 memorializes the content of the notice of
254 intent, the requirements of this section, and
255 the consequences for failing to meet such
256 requirements, which shall include the following:

257 (1) If the amount of capital investment
258 made by the qualified manufacturing company is
259 not made within the two-year period provided for
260 such investment, the qualified manufacturing
261 company shall immediately cease retaining any

262 withholding tax with respect to jobs at the
263 facility and it shall forfeit all rights to
264 retain withholding tax for the remainder of the
265 withholding period. In addition, the qualified
266 manufacturing company shall repay any amounts of
267 withholding tax retained plus interest of five
268 percent per annum. However, in the event that
269 such capital investment shortfall is due to
270 economic conditions beyond the control of the
271 qualified manufacturing company, the director
272 may, at the qualified manufacturing company's
273 request, suspend rather than terminate its
274 privilege to retain withholding tax under this
275 section for up to three years. Any such
276 suspension shall extend the withholding period
277 by the same amount of time. No more than one
278 such suspension shall be granted to a qualified
279 manufacturing company;

280 (2) If the qualified manufacturing company
281 discontinues the manufacturing of the new
282 product and does not replace it with a
283 subsequent or additional new product
284 manufactured at the facility at any time during
285 the withholding period, the qualified
286 manufacturing company shall immediately cease
287 retaining any withholding tax with respect to
288 jobs at that facility and it shall forfeit all
289 rights to retain withholding tax for the
290 remainder of the withholding period.

291 10. Prior to March first each year, the
292 department shall provide a report to the general
293 assembly including the names of participating
294 qualified manufacturing companies or qualified
295 suppliers, location of such companies or
296 suppliers, the annual amount of benefits
297 provided, the estimated net state fiscal impact
298 including direct and indirect new state taxes
299 derived, and the number of new jobs created or
300 jobs retained.

301 11. Under section 23.253 of the Missouri
302 sunset act:

303 (1) The provisions of the new program
304 authorized under this section shall
305 automatically sunset October 12, 2016, unless
306 reauthorized by an act of the general assembly;
307 and

308 (2) If such program is reauthorized, the
309 program authorized under this section shall
310 automatically sunset twelve years after the
311 effective date of the reauthorization of this
312 section; and

313 (3) This section shall terminate on
314 September first of the calendar year immediately
315 following the calendar year in which the program
316 authorized under this section is sunset.]

EXPLANATION: This section sunset 10-12-2016. NOTE: A Sunset Review Report on this section was voted on by the Joint Committee on Legislative Research on 9-16-2015.

2 [620.2100. 1. There is hereby established
3 the "Ozark Exploration Bicentennial Commission".
4 2. The commission shall consist of the
5 following members:
6 (1) Two representatives appointed by the
7 speaker of the house of representatives;
8 (2) Two senators appointed by the
9 president pro tempore of the senate;
10 (3) One faculty member of Missouri State
11 University appointed by university leadership;
12 (4) The director of the division of
13 tourism or his or her designee;
14 (5) Two members representing historical
15 societies within the area of exploration, one
16 appointed by the speaker of the house of
17 representatives and one appointed by the
18 president pro tempore of the senate;
19 (6) Two members of the public appointed by
20 the speaker of the house of representatives; and
21 (7) Two members of the public appointed by
22 the president pro tempore of the senate.
23 3. Members of the commission shall be
24 appointed by October 1, 2017.
25 4. Members of the commission shall serve
26 without compensation. The division of tourism
27 shall provide administrative support for the
28 commission.
29 5. There is hereby established in the
30 state treasury the "Ozark Exploration
31 Bicentennial Fund" to be held separate and apart
32 from all other public moneys and funds of the
33 state. The fund may accept state and federal
34 appropriations, grants, bequests, gifts, fees,
35 and awards to be held for use by the Ozark
36 exploration bicentennial commission.
37 Notwithstanding the provisions of section 33.080
38 to the contrary, moneys remaining in the fund at
39 the end of any biennium shall not revert to
40 general revenue. The state treasurer shall be
41 custodian of the fund. In accordance with
42 sections 30.170 and 30.180, the state treasurer
43 may approve disbursements. The state treasurer
44 shall invest moneys in the fund in the same
45 manner as other funds are invested. Any
46 interest and moneys earned on such investments
47 shall be credited to the fund.
48 6. The duties of the commission shall
49 include, but not be limited to:
50 (1) Organizing and coordinating efforts
51 relating to the bicentennial celebration of the
 exploration of the Ozarks in 1819; and

52 (2) Promoting public awareness of the
53 importance and cultural significance of the
54 exploration to Missouri history.

55 7. The commission shall be dissolved and
56 the provisions of this section shall expire on
57 June 30, 2019.]

EXPLANATION: This section expired 6-30-2019.

2 [633.420. 1. For the purposes of this
3 section, the term "dyslexia" means a disorder
4 that is neurological in origin, characterized by
5 difficulties with accurate and fluent word
6 recognition, and poor spelling and decoding
7 abilities that typically result from a deficit
8 in the phonological component of language, often
9 unexpected in relation to other cognitive
10 abilities and the provision of effective
11 classroom instruction, and of which secondary
12 consequences may include problems in reading
13 comprehension and reduced reading experience
14 that can impede growth of vocabulary and
15 background knowledge. Nothing in this section
16 shall prohibit a district from assessing
17 students for dyslexia and offering students
18 specialized reading instruction if a
19 determination is made that a student suffers
20 from dyslexia. Unless required by federal law,
21 nothing in this definition shall require a
22 student with dyslexia to be automatically
23 determined eligible as a student with a
24 disability. Nothing in this definition shall
25 require a student with dyslexia to obtain an
26 individualized education program (IEP) unless
27 the student has otherwise met the federal
28 conditions necessary.

29 2. There is hereby created the
30 "Legislative Task Force on Dyslexia". The joint
31 committee on education shall provide technical
32 and administrative support as required by the
33 task force to fulfill its duties; any such
34 support involving monetary expenses shall first
35 be approved by the chairman of the joint
36 committee on education. The task force shall
37 meet at least quarterly and may hold meetings by
38 telephone or video conference. The task force
39 shall advise and make recommendations to the
40 governor, joint committee on education, and
41 relevant state agencies regarding matters
42 concerning individuals with dyslexia, including
43 education and other adult and adolescent
44 services.

45 3. The task force shall be comprised of
46 twenty-one members consisting of the following:
47 (1) Two members of the senate appointed by
48 the president pro tempore of the senate, with
49 one member appointed from the minority party and
one member appointed from the majority party;

- 50 (2) Two members of the house of
51 representatives appointed by the speaker of the
52 house of representatives, with one member
53 appointed from the minority party and one member
54 appointed from the majority party;
- 55 (3) The commissioner of education, or his
56 or her designee;
- 57 (4) One representative from an institution
58 of higher education located in this state with
59 specialized expertise in dyslexia and reading
60 instruction;
- 61 (5) A representative from a state teachers
62 association or the Missouri National Education
63 Association;
- 64 (6) A representative from the
65 International Dyslexia Association of Missouri;
- 66 (7) A representative from Decoding
67 Dyslexia of Missouri;
- 68 (8) A representative from the Missouri
69 Association of Elementary School Principals;
- 70 (9) A representative from the Missouri
71 Council of Administrators of Special Education;
- 72 (10) A professional licensed in the state
73 of Missouri with experience diagnosing dyslexia
74 including, but not limited to, a licensed
75 psychologist, school psychologist, or
76 neuropsychologist;
- 77 (11) A speech-language pathologist with
78 training and experience in early literacy
79 development and effective research-based
80 intervention techniques for dyslexia, including
81 an Orton-Gillingham remediation program
82 recommended by the Missouri Speech-Language
83 Hearing Association;
- 84 (12) A certified academic language
85 therapist recommended by the Academic Language
86 Therapy Association who is a resident of this
87 state;
- 88 (13) A representative from an independent
89 private provider or nonprofit organization
90 serving individuals with dyslexia;
- 91 (14) An assistive technology specialist
92 with expertise in accessible print materials and
93 assistive technology used by individuals with
94 dyslexia recommended by the Missouri assistive
95 technology council;
- 96 (15) One private citizen who has a child
97 who has been diagnosed with dyslexia;
- 98 (16) One private citizen who has been
99 diagnosed with dyslexia;
- 100 (17) A representative of the Missouri
101 State Council of the International Reading
102 Association;
- 103 (18) A pediatrician with knowledge of
104 dyslexia; and
- 105 (19) A member of the Missouri School
106 Boards' Association.

107 4. The members of the task force, other
108 than the members from the general assembly and
109 ex officio members, shall be appointed by the
110 president pro tempore of the senate or the
111 speaker of the house of representatives by
112 September 1, 2016, by alternating appointments
113 beginning with the president pro tempore of the
114 senate. A chairperson shall be selected by the
115 members of the task force. Any vacancy on the
116 task force shall be filled in the same manner as
117 the original appointment. Members shall serve
118 on the task force without compensation.

119 5. The task force shall make
120 recommendations for a statewide system for
121 identification, intervention, and delivery of
122 supports for students with dyslexia, including
123 the development of resource materials and
124 professional development activities. These
125 recommendations shall be included in a report to
126 the governor and joint committee on education
127 and shall include findings and proposed
128 legislation and shall be made available no
129 longer than twelve months from the task force's
130 first meeting.

131 6. The recommendations and resource
132 materials developed by the task force shall:

133 (1) Identify valid and reliable screening
134 and evaluation assessments and protocols that
135 can be used and the appropriate personnel to
136 administer such assessments in order to identify
137 children with dyslexia or the characteristics of
138 dyslexia as part of an ongoing reading progress
139 monitoring system, multitiered system of
140 supports, and special education eligibility
141 determinations in schools;

142 (2) Recommend an evidence-based reading
143 instruction, with consideration of the National
144 Reading Panel Report and Orton-Gillingham
145 methodology principles for use in all Missouri
146 schools, and intervention system, including a
147 list of effective dyslexia intervention
148 programs, to address dyslexia or characteristics
149 of dyslexia for use by schools in multitiered
150 systems of support and for services as
151 appropriate for special education eligible
152 students;

153 (3) Develop and implement preservice and
154 in-service professional development activities
155 to address dyslexia identification and
156 intervention, including utilization of
157 accessible print materials and assistive
158 technology, within degree programs such as
159 education, reading, special education,
160 speech-language pathology, and psychology;

161 (4) Review teacher certification and
162 professional development requirements as they
163 relate to the needs of students with dyslexia;

164 (5) Examine the barriers to accurate
 165 information on the prevalence of students with
 166 dyslexia across the state and recommend a
 167 process for accurate reporting of demographic
 168 data; and

169 (6) Study and evaluate current practices
 170 for diagnosing, treating, and educating children
 171 in this state and examine how current laws and
 172 regulations affect students with dyslexia in
 173 order to present recommendations to the governor
 174 and the joint committee on education.

175 7. The task force shall hire or contract
 176 for hire specialist services to support the work
 177 of the task force as necessary with
 178 appropriations made by the general assembly to
 179 the joint committee on education for that
 180 purpose or from other available funding.

181 8. The task force authorized under this
 182 section shall expire on August 31, 2018, unless
 183 reauthorized by an act of the general assembly.]

EXPLANATION: This section expired 8-31-2018.

2 [640.030. The department of natural
 3 resources and the department of conservation
 4 shall develop an interagency plan and execute an
 5 interagency agreement regarding the application
 6 and use of any portion of funds authorized for
 7 the respective departments by provisions of the
 8 Constitution, taking into consideration the
 9 purposes for which the voters approved the funds
 10 and the extent to which expenditures under the
 11 provisions of sections 252.300 to 252.333, or
 12 sections 620.552 to 620.574, accomplish such
 13 purposes. Such interagency agreements shall not
 14 be subject to legislative review or oversight
 15 and are not rules within the meaning of any law
 16 providing for review by the general assembly or
 any committee thereof.]

EXPLANATION: This section expired 12-31-1992 (1990 H.B.
 1653, ' A).

2 [660.512. No rule or portion of a rule
 3 promulgated under the authority of chapter 210
 4 shall become effective unless it has been
 5 promulgated pursuant to the provisions of
 section 536.024.]

EXPLANATION: Sections 660.500 to 660.513 were repealed in
 1995. There is sufficient rulemaking authority in Chapter
 210, making this section unnecessary.

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