

SECOND REGULAR SESSION

# SENATE BILL NO. 953

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BEAN.

4505S.011

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 640.220 and 643.350, RSMo, and to enact in lieu thereof two new sections relating to the expenditure of moneys in certain funds by the department of natural resources.

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

Section A. Sections 640.220 and 643.350, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be  
3 known as sections 640.220 and 643.350, to read as follows:

640.220. 1. For the purpose of protecting the air,  
2 water and land resources of the state, there is hereby  
3 created in the state treasury a fund to be known as the  
4 "Natural Resources Protection Fund". All funds received  
5 from air pollution permit fees, gifts, bequests, donations,  
6 or any other moneys so designated shall be paid to the  
7 director of the department of natural resources, transmitted  
8 to the director of revenue and deposited in the state  
9 treasury to the credit of an appropriate subaccount of the  
10 natural resources protection fund and shall be used for the  
11 purposes specified by law. The air pollution permit fee  
12 revenues shall be deposited in an appropriate subaccount of  
13 the natural resources protection fund and, subject to  
14 appropriation by the general assembly, shall be used by the  
15 department to carry out the general administration of  
16 section 643.075. The water pollution permit fee revenues

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

generated through sections 644.052, 644.053, 644.054 and 644.061 shall be paid to the director of the department of natural resources, transmitted to the director of the department of revenue and deposited to the credit of the water pollution permit fee subaccount of the natural resources protection fund and, subject to appropriation by the general assembly, shall be used by the department to carry out the administration of sections 644.006 to 644.141.

2. Effective July 1, 1991, **and before June 30, 2027**, the provisions of section 33.080 to the contrary notwithstanding, any unexpended balance in the subaccounts of the natural resources protection fund that exceeds the preceding biennium's collections shall revert to the general revenue fund of the state at the end of each biennium.

**Beginning July 1, 2027, any unexpended balance in the subaccounts of the natural resources protection fund that exceeds the preceding biennium's collections shall not revert to the general revenue fund of the state at the end of each biennium.** All interest earned on the natural resources protection funds shall accrue to appropriate subaccounts.

3. **Beginning July 1, 2027, and annually on July first of each succeeding year, the commissioner of administration shall use taxable sales reports to estimate the amount of state general revenue sales and use tax derived from electric power distribution (NAICS code 221122, or its successor) in the immediately preceding calendar year and shall report such amount to the state treasurer. The state treasurer shall transfer five percent of such general revenue sales and use taxes to the air pollution permit fees subaccount of the natural resources protection fund and such funds, subject to appropriation by the general assembly,**

49 shall be used by the department solely for the purpose of  
50 funding the air pollution control program. Any provision of  
51 law to the contrary notwithstanding, amounts transferred in  
52 accordance with this subsection shall not revert to the  
53 general revenue fund of the state at the end of each  
54 biennium and shall be used solely for the purpose of funding  
55 the air pollution control program.

643.350. 1. A fee, not to exceed twenty-four dollars,  
2 may be charged for an emissions inspection conducted under  
3 the emissions inspection program established pursuant to  
4 sections 643.300 to 643.355.

5 2. The fee shall be conspicuously posted on the  
6 premises of each emissions inspection station.

7 3. The commission shall establish, by rule, the  
8 portion of the fee amount to be remitted by the emission  
9 inspection station to the director of revenue and the number  
10 of days allowed for remitting fees.

11 4. The official emission inspection station shall  
12 remit the portion of fees collected, as established by the  
13 commission pursuant to this section, to the state treasurer  
14 within the time period established by the commission. The  
15 state treasurer shall deposit the fees received in the state  
16 treasury to the credit of the "Missouri Air Emission  
17 Reduction Fund", which is hereby created. Moneys in the  
18 fund shall, subject to appropriation, be expended for the  
19 administration and enforcement of sections 643.300 to  
20 643.355 by the department of natural resources, the Missouri  
21 highway patrol, and other appropriate agencies. Any balance  
22 in the fund at the end of the biennium shall remain in the  
23 fund and shall not be subject to the provisions of section  
24 33.080. All interest earned by moneys in the fund shall  
25 accrue to the fund. [If in the immediate previous fiscal

26 year, the state's net general revenue did not increase by  
27 two percent or more, the state treasurer may deposit moneys,  
28 except for gifts, donations, or bequests, received under  
29 this section beginning January first of the current fiscal  
30 year into the state general revenue fund. Otherwise, the  
31 state treasurer shall deposit such moneys in accordance with  
32 the provisions of this section.]

33 5. In addition to funds from the Missouri air emission  
34 reduction fund, costs of capital or operations may be  
35 supplemented, upon appropriation, from the general revenue  
36 fund, the state highway department fund, federal funds or  
37 other funds available for that purpose.

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