

FIRST REGULAR SESSION

# HOUSE BILL NO. 288

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES JETTON, SCHAAF, HOBBS, PEARCE, LAGER, YATES, MUNZLINGER, RUPP, SCHLOTTACH, BAKER, NIEVES, STEFANICK, SMITH (14), DIXON, KINGERY (Co-sponsors), WRIGHT, BEARDEN, KELLY (144), RECTOR, AVERY, WILSON (130), STEVENSON, EMERY, MYERS, LEMBKE (85), BEAN, ICET, RICHARD, SMITH (118), COOPER (120), DETHROW, ENGLER, SCHNEIDER, ANGST, QUINN, CROWELL, JACKSON, PURGASON, PORTWOOD, HANAWAY, GOODMAN, WOOD, ST. ONGE, SHOEMAKER (8), CUNNINGHAM (86), CUNNINGHAM (145), SANDER, CRAWFORD, PARKER, ROARK, LUETKEMEYER, BRUNS, DEEKEN, ERVIN, PHILLIPS, DEMPSEY, SELF, BROWN, GUEST, SUTHERLAND, BEHNEN, MILLER, BLACK, HUNTER, VIEBROCK, BIVINS, MAYER, COOPER (155), BYRD, TOWNLEY, LIPKE (157), WASSON, MORRIS, RUESTMAN, KING, FARES, TAYLOR, MARSH, PRATT, DUSENBERG AND THRELKELD.

Read 1<sup>st</sup> time January 23, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0736L.03I

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### AN ACT

To repeal sections 160.534 and 164.303, RSMo, and to enact in lieu thereof three new sections relating to gambling moneys for schools.

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

Section A. Sections 160.534 and 164.303, RSMo, are repealed and three new sections  
2 enacted in lieu thereof, to be known as sections 160.534, 163.201, and 164.303, to read as  
3 follows:

160.534. [For fiscal year 1996 and each subsequent fiscal year,] **1. Except as provided**  
2 **in subsection 2 of this section**, any amount of the excursion gambling boat proceeds deposited  
3 in the gaming proceeds for education fund in excess of the amount transferred to the school  
4 district bond fund as provided in section 164.303, RSMo, shall be transferred to the state school  
5 moneys fund. Such moneys shall be transferred on a monthly basis and shall be distributed in  
6 the manner provided in section 163.031, RSMo.

7 **2. The moneys transferred pursuant to this section shall be transferred on a**  
8 **monthly basis as follows:**

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is new proposed language.**

9           (1) For fiscal year 2007, twenty percent to the classroom trust fund created  
10 pursuant to section 163.201, RSMo, and eighty percent to the state school moneys fund;

11           (2) For fiscal year 2008, forty percent to the classroom trust fund and sixty percent  
12 to the state school moneys fund;

13           (3) For fiscal year 2009, sixty percent to the classroom trust fund and forty percent  
14 to the state school moneys fund;

15           (4) For fiscal year 2010, eighty percent to the classroom trust fund and twenty  
16 percent to the state school moneys fund; and

17           (5) For fiscal year 2011 and subsequent years, one hundred percent to the  
18 classroom trust fund.

19           3. The amount transferred pursuant to subsection 2 of this section to the classroom  
20 trust fund shall be replaced in the state school moneys fund from general revenue.

21           4. In any school year in which the department of elementary and secondary  
22 education determines that the school funding formula has a proration factor on line 1b of  
23 less than 1.0, the provisions of this section relating to transfers to the classroom trust fund  
24 shall not be implemented, unless and until the department's calculations for the first  
25 annualized "live" school funding formula calculation of the school year show that the  
26 formula shall have a proration factor on both line 1a and 1b of no less than 1.0. For fiscal  
27 year 2007 and subsequent years during which the moneys originating from the gaming  
28 proceeds for education fund are being transferred to the classroom trust fund at less than  
29 one hundred percent of the total, in the fiscal year immediately following any fiscal year  
30 in which the transfers were suspended, the transfers shall be resumed, upon determination  
31 of full funding, at the percentage level specified for the year in which the transfers were  
32 suspended. If the transfers are suspended for two consecutive years or more, when  
33 transfers resume they shall be at the level specified for the first year in the consecutive  
34 years in which the transfers were suspended.

          163.201. 1. For fiscal year 2007 and each subsequent fiscal year, the "Classroom  
2 Trust Fund", which is hereby created in the state treasury, shall be distributed by the state  
3 board of education to each school district on a per eligible pupil basis. The moneys  
4 distributed pursuant to this section shall be exempt from salary compliance pursuant to  
5 section 165.016, RSMo. The moneys may be used by the district for:

6           (1) Teacher recruitment, retention, salaries or professional development;

7           (2) School construction, renovation or leasing;

8           (3) Technology enhancements or textbooks or instructional materials; or

9           (4) School safety; or

10          (5) Supplying additional funding for required programs, both state and federal.

11           **2. The classroom trust fund shall consist of all moneys transferred to it pursuant**  
12 **to section 160.534, RSMo, all moneys otherwise appropriated or donated to it and,**  
13 **notwithstanding any other provision of law to the contrary, all unclaimed lottery prize**  
14 **money.**

          164.303. There is hereby established in the state treasury the "School District Bond  
2 Fund". Such amounts as may be necessary to fund the annual requests submitted by the health  
3 and educational facilities authority to fund the payment of costs and grants as provided in  
4 subsection 7 of section 360.106 and sections 360.111 to 360.118, RSMo, and necessary costs for  
5 administration of those provisions, but not to exceed seven million dollars per year, shall be  
6 transferred by appropriation to the fund from the gaming proceeds for education fund before any  
7 amounts in the gaming proceeds for education fund are transferred [to the state school moneys  
8 fund,] as provided in section 160.534, RSMo. Moneys deposited in the school district bond fund  
9 shall be used by the health and educational facilities authority, subject to appropriation, to fund  
10 the payment of costs and grants as provided in subsection 7 of section 360.106 and sections  
11 360.111 to 360.118, RSMo, and necessary costs for administration of those provisions.  
12 Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the fund  
13 shall not be transferred to the credit of the general revenue fund at the end of each biennium.