

FIRST REGULAR SESSION

HOUSE BILL NO. 65

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WALLACE.

Pre-filed December 3, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0133L.011

AN ACT

To amend chapter 142, RSMo, by adding thereto one new section relating to a motor fuel tax exemption for school districts.

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

Section A. Chapter 142, RSMo, is amended by adding thereto one new section, to be
2 known as section 142.816, to read as follows:

3 **142.816. 1. Motor fuel sold to any school district within this state and used to**
4 **operate buses used solely to transport students to or from school or to transport students**
5 **to or from any place for educational purposes is exempt from the fuel tax imposed by this**
6 **chapter. The department shall promulgate rules to implement the provisions of this**
7 **section.**

8 **2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,**
9 **that is created under the authority delegated in this section shall become effective only if**
10 **it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**
11 **applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable**
12 **and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,**
13 **to review, to delay the effective date, or to disapprove and annul a rule are subsequently**
14 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
15 **adopted after August 28, 2005, shall be invalid and void.**

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