

FIRST REGULAR SESSION

# HOUSE BILL NO. 258

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CUNNINGHAM (86).

Read 1<sup>st</sup> time January 18, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0764L.02I

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### AN ACT

To repeal sections 162.695, 162.990, 162.995, 163.083, and 189.085, RSMo, and to enact in lieu thereof two new sections relating to school district census requirements.

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

Section A. Sections 162.695, 162.990, 162.995, 163.083, and 189.085, RSMo, are  
2 repealed and two new sections enacted in lieu thereof, to be known as sections 163.083 and  
3 189.085, to read as follows:

163.083. When distributing the state aid authorized by the provisions of sections  
2 162.935, 162.975, 162.980, 162.985, 162.900, [162.990,] 163.031, 163.161, RSMo, and all other  
3 moneys distributed by the state department of elementary and secondary education, the state  
4 treasurer may, in any year if requested by a school district, disregard the provision in section  
5 30.180, RSMo, requiring the treasurer to convert the warrant requesting payment into a check  
6 or draft and wire transfer the amount to be distributed to the school district directly to the school  
7 district's designated depository for credit to the school district's account.

189.085. The department shall develop and maintain appropriate records of services and  
2 financial transactions relating to sections 189.010 to 189.085. Disclosure of such information  
3 shall be restricted to purposes directly connected with the administration of this health services  
4 program. The center for health statistics of the department and the providers shall coordinate  
5 record systems and related programs to insure that information needed by the department for the  
6 purposes of this program shall be efficiently and economically provided. Records concerning  
7 applicants and recipients of health services shall be kept confidential, provided, however, that  
8 nothing shall prohibit the department from providing the department of elementary and

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.

9 secondary education access to all records maintained pursuant to this section. The department  
10 and the department of elementary and secondary education shall coordinate record systems and  
11 related programs to insure that information needed by the department for the purpose of  
12 evaluation of this program will be available. The department shall assist the department of  
13 elementary and secondary education by providing information required by the department of  
14 elementary and secondary education to discharge responsibility for the developmentally disabled  
15 and other handicapped children as provided for in [section 162.695, RSMo, and] subsection 2  
16 of section 162.700, RSMo. The department shall have access to all records or information  
17 obtained pursuant to [section 162.695, RSMo, and] subsection 2 of section 162.700, RSMo.

2 [162.695. 1. The board of education of each school district, including  
3 school districts which are part of a special school district, shall take or cause to  
4 be taken annually a special census of handicapped and severely handicapped  
5 children under the age of twenty-one residing in the district or whose parent or  
6 guardian resides in the district. The census shall include the name of the child,  
7 the parent or guardian's name and address, the birth date and the age of the child,  
8 and the handicapping condition or conditions. Where medical or other  
9 information is available it shall be used in establishing the handicapping  
10 condition or conditions or, if such information is not available, the statement of  
11 parents or other qualified observers of the child shall be accepted for the census  
12 report pending competent medical, psychological or other recognized evaluation.  
13 The census report shall be in a format provided or approved by the state  
14 department of elementary and secondary education and shall be forwarded  
15 annually to the division of special education at the time prescribed by the  
16 department of elementary and secondary education. If the school district is in a  
17 special school district, a copy shall also be sent to the special school district.  
18 Should a district fail to make and submit such a census in the required form, the  
19 state board of education may withhold any state aid under either sections 162.670  
20 to 162.995 or chapter 163, RSMo, until such time as the census is received.

21 2. State agencies collecting or otherwise maintaining information on  
22 handicapped and severely handicapped children shall cooperate with local  
23 districts, special school districts, and the department of elementary and secondary  
24 education in making available to those respective authorities information required  
25 to meet the provisions of this act.

26 3. An annual review of the census report shall be made by the department  
27 of elementary and secondary education in cooperation with local and special  
28 school districts to determine the appropriateness of information requested in this  
29 report.]

2 [162.990. For each child under the age of twenty-one enumerated  
3 annually on the census of handicapped and severely handicapped children, the  
4 district shall receive one dollar.]

2           [162.995. In no event shall any sum in excess of two hundred fifty  
3 thousand dollars be expended from the state school moneys fund to implement  
4 the provisions of sections 162.670, 162.675, 162.680, 162.685, and 162.690 and  
162.695 prior to July 1, 1974.]