

SECOND REGULAR SESSION

HOUSE BILL NO. 1369

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MYERS (Sponsor), RICHARD, BLACK, MUNZLINGER, SWINGER, SANDER, NANCE, MOORE, WRIGHT (159), DUSENBERG, HOBBS, DAY, BIVINS, CHINN, BEHNEN, JONES, SCHAD, SMITH (150) AND LOEHNER (Co-sponsors).

Read 1st time January 12, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3182L.03I

AN ACT

To amend chapter 414, RSMo, by adding thereto one new section relating to biodiesel fuel.

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

Section A. Chapter 414, RSMo, is amended by adding thereto one new section, to be
2 known as section 414.250, to read as follows:

**414.250. 1. On or before January 1, 2008, all diesel fuel sold at the terminal or
2 imported for sale in Missouri for use in internal combustion engines shall contain at least
3 two percent biodiesel fuel oil by volume. The minimum content requirement does not
4 apply to fuels consumed by railroad locomotives or fuels consumed in generation of
5 electricity at plants regulated by the nuclear regulatory commission. The director of the
6 department of agriculture may, by rule, exempt certain fuels uses from the biodiesel fuel
7 oil by volume percentage requirements in this section.**

**8 2. As used in this section, "biodiesel fuel" means fuel as defined in ASTM standard
9 D-6751 or its subsequent standard specifications for biodiesel fuel (B100) blend stock for
10 distillate fuels.**

**11 3. (1) Any terminal that made capital expenditures necessary to adapt or add
12 equipment to blend biodiesel fuel oil as required in this section is eligible for partial
13 reimbursement for unrecovered capital expenditures if the requirements of this section are
14 repealed within five years of the effective date of this section.**

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.

15 (2) A terminal operator may apply to the department of agriculture for a
16 reimbursement from money collected from the collection fee required under subdivision
17 (3) of this subsection for such purpose on the following schedule: if the requirements of
18 this section are repealed within two years of the effective date of this section, the
19 department shall reimburse up to eighty percent of expenditures. The total amount eligible
20 to be reimbursed shall decline by twenty percent each year after the effective date of this
21 section and shall end at twenty percent in the fifth year. The department shall require
22 detailed proof of expenditures made to comply with the requirements of this section.

23 (3) A collection fee shall be levied and imposed on all diesel fuel distributed from
24 terminals within the state as follows:

25 (a) If the requirements of this section are repealed or amended within five years of
26 the effective date of this section, a collection fee of one-half of one cent per gallon shall be
27 levied and imposed on all diesel fuel sold or offered for sale in Missouri from the date the
28 requirements of this section are amended or repealed until the fifth anniversary of the
29 effective date of this section;

30 (b) If the requirements of this section are not amended or repealed within five years
31 of the effective date of this section, a collection fee shall not be levied and imposed on diesel
32 fuel distributed from terminals within this state.

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