

SECOND REGULAR SESSION

HOUSE BILL NO. 1410

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DARROUGH (Sponsor), CORCORAN, ZWEIFEL, SKAGGS,
SCHOEMEHL, WRIGHT-JONES, BROWN (50), HARRIS (23), LeVOTA, SPRENG,
GEORGE AND VIEBROCK (Co-sponsors).

Read 1st time January 17, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3776L.01I

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:

**142.816. 1. Motor fuel sold to any school district within this state and used to
2 operate buses used solely to transport students to or from school or to transport students
3 to or from any place for educational purposes is exempt from the fuel tax imposed by this
4 chapter.**

**5 2. The exemption in this section shall not apply to any school district that contracts
6 with a private contractor to provide school bus services for the district, unless the private
7 contractor reimburses the school district for the amount of the exemption or the contract
8 for school bus services reflects a reduction in the amount of the exemption in the final price
9 listed in the contract.**

**10 3. The department shall promulgate rules to implement the provisions of this
11 section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
12 that is created under the authority delegated in this section shall become effective only if
13 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if**

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.

14 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
15 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
16 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
17 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
18 adopted after August 28, 2006, shall be invalid and void.

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