

SECOND REGULAR SESSION

HOUSE BILL NO. 1073

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WALLACE (Sponsor), ERVIN, HARRIS (110), FISHER, DAY, WRIGHT-JONES, ROORDA, MUNZLINGER, WHORTON, LOEHNER, QUINN, BAKER (25), YAEGER, FLOOK, DEEKEN, BIVINS, AULL, POLLOCK, SANDER, DETHROW, RUCKER, WETER, SUTHERLAND, CORCORAN, BAKER (123), MEADOWS, VIEBROCK, ROBINSON, FRASER, WELLS, NANCE, DUSENBERG, SCHAD, WILSON (119), STORCH, OXFORD, CHINN, JETTON, WOOD, WILSON (130), CUNNINGHAM (145), RUESTMAN, WRIGHT (137), DEMPSEY, WASSON, PARSON, BROWN (30) AND MOORE (Co-sponsors).

Pre-filed December 5, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3340L.011

AN ACT

To amend chapter 142, RSMo, by adding thereto one new section relating to motor fuel tax exemptions.

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 known as section 142.816, to read as follows:

142.816. 1. Motor fuel sold to be used to operate buses to transport students to or from school or to transport students to or from any place for educational purposes is exempt from the fuel tax imposed by this chapter. The department shall promulgate rules to implement the provisions of this section.

2. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently

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.

- 11 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
12 **adopted after August 28, 2006, shall be invalid and void.**

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