

FIRST REGULAR SESSION

HOUSE BILL NO. 850

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DIXON (Sponsor), MARSH, SCHOELLER, VIEBROCK,
DENISON, WILSON (130) AND WASSON (Co-sponsors).

Read 1st time February 13, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1925L.02I

AN ACT

To amend chapter 44, RSMo, by adding thereto one new section relating to the disaster damage emergency loan revolving fund program.

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

Section A. Chapter 44, RSMo, is amended by adding thereto one new section, to be
2 known as section 44.175, to read as follows:

**44.175. 1. There is hereby established in the office of administration the "Disaster
2 Damage Emergency Loan Revolving Fund Program" to provide zero interest loans for
3 persons who incur property damage not covered by insurance upon the actual occurrence
4 of a natural or man-made disaster of major proportions in any portion of the state that is
5 a declared state or federal disaster area. The office of administration, in consultation with
6 other state agencies deemed necessary by the commissioner of administration, shall develop
7 and implement a process for approving and obtaining financing for eligible persons under
8 the program.**

**9 2. In a declared state or federal emergency area, the state emergency management
10 agency shall be the state agency designated as the point of entry for persons seeking a loan
11 under this program. The state emergency management agency shall identify those persons
12 seeking loans under the program, and collect and submit information to the office of
13 administration. The state emergency management agency may utilize existing forms to**

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 meet the requirements of this subsection or, if necessary, develop forms in consultation
15 with the office of administration for such purpose.

16 3. Loans under this section shall be given in the following order of preference:

17 (1) To meet any deductibles for those persons who have insurance coverage for
18 such property damage losses;

19 (2) To those persons who do not receive any assistance from the Federal Emergency
20 Management Agency for such property damage losses;

21 (3) To those persons who do not have insurance coverage for such property damage
22 losses.

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24 No person shall be eligible for a loan under this section if such person receives assistance
25 from the Federal Emergency Management Agency for such property damage losses.

26 4. There is hereby created in the state treasury the "Disaster Damage Emergency
27 Revolving Loan Fund", which shall consist of all moneys appropriated to it by the general
28 assembly, all repayment of moneys from eligible lenders, and any moneys deposited or
29 transferred to the fund for the purpose of providing zero interest loans under this section.
30 The state treasurer shall be custodian of the fund and shall make disbursements from the
31 fund in accordance with sections 30.170 and 30.180, RSMo. Money in the fund shall be
32 used solely for the loan program established in this section. Notwithstanding section
33 33.080, RSMo, to the contrary, any moneys remaining in the fund shall not revert to the
34 credit of the general revenue fund. All yield, interest, income, increment, or gain received
35 from time deposit of moneys in the state treasury to the credit of the fund shall be credited
36 to the fund. The commissioner of administration is authorized to administer the fund in
37 accordance with this section.

38 5. The commissioner of administration shall promulgate rules to implement this
39 section. Such rules shall include, but not be limited to:

40 (1) Application and approval process for loans issued under this section;

41 (2) Eligibility requirements for such loans which may include a means test or
42 maximum loan amount;

43 (3) Terms, conditions, repayment, and collection requirements for such loans; and

44 (4) Coordination with the state emergency management agency for the
45 identification of persons seeking loans and the submission of required information.

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47 Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is
48 created under the authority delegated in this section shall become effective only if it
49 complies with and is subject to all of the provisions of chapter 536, RSMo, and, if

50 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
51 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
52 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
53 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
54 adopted after August 28, 2007, shall be invalid and void.

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