

SECOND REGULAR SESSION

HOUSE BILL NO. 2527

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SANDER (Sponsor), HARRIS (110), DIXON,
CUNNINGHAM (86) AND DAVIS (Co-sponsors).

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D. ADAM CRUMBLISS, Chief Clerk

5623L.01I

AN ACT

To amend chapter 301, RSMo, by adding thereto four new sections relating to the state's policy of protection of human life.

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

Section A. Chapter 301, RSMo, is amended by adding thereto four new sections, to be
2 known as section 301.3035, 1, 2, and 3, to read as follows:

301.3035. 1. Any person may receive special license plates with words and an
2 emblem that denotes the state's respect for human life both before and after birth, under
3 this section, for any motor vehicle such person owns either solely or jointly, other than an
4 apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen
5 thousand pounds gross weight after a contribution of at least twenty-five dollars, or at least
6 fifty dollars in the case of a biennial registration, to the Missouri alternatives to abortion
7 services support fund. Such license plates shall be called "Choose Life License Plates".
8 2. Choose life license plates shall bear the words "CHOOSE LIFE" in place of the
9 words "SHOW-ME STATE" and shall bear the image of a single red rose. Such license
10 plates shall be made with fully reflective material with a common color scheme and design,
11 shall be clearly visible at night, and shall be aesthetically attractive, under section 301.130.
12 Notwithstanding the provisions of section 301.144, no additional fee shall be charged for
13 the personalization of license plates issued under 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.

14 **3. The contribution of at least twenty-five dollars, or at least fifty dollars in the case**
15 **of a biennial registration, to the alternatives to abortion services support fund shall be**
16 **made to the director of revenue at the time of registration of the vehicle. The director shall**
17 **transfer such contributions to the state treasurer for deposit in the alternatives to abortion**
18 **services support fund. Upon the receipt of such contribution, payment of the regular**
19 **registration fees and presentation of other documents that may be required by law, the**
20 **director of revenue shall issue choose life license plates to the vehicle owner.**

21 **4. There shall be no limit on the number of sets of choose life license plates a person**
22 **may obtain under this section so long as such license plates are issued for vehicles owned**
23 **solely or jointly by such person, and so long as a contribution of at least twenty-five dollars,**
24 **or at least fifty dollars in the case of a biennial registration, is made for each set of choose**
25 **life license plates.**

26 **5. A vehicle owner who was previously issued choose life license plates but who does**
27 **not make a contribution of at least twenty-five dollars, or at least fifty dollars in the case**
28 **of a biennial registration, to the alternatives to abortion services support fund at a**
29 **subsequent time of registration shall be issued new plates that are not choose life license**
30 **plates, as otherwise provided by law.**

31 **6. The director of revenue shall issue samples of choose life license plates to all**
32 **offices in this state where vehicles are registered and license plates are issued. Such sample**
33 **license plates shall be prominently displayed in such offices along with literature prepared**
34 **by the director or by the choose life commission describing the license plates, the**
35 **alternatives to abortion services support fund, and the purposes for which the fund is used.**

36 **7. The general assembly may appropriate moneys annually from the alternatives**
37 **to abortion services support fund to the department of revenue to offset costs reasonably**
38 **incurred by the director of revenue under subsections 1 to 6 of this section.**
39 **Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys**
40 **remaining at the end of the biennium shall not revert to the credit of the general revenue**
41 **fund.**

Section 1. As used in sections 1 to 3 of this act, the following terms mean:

2 **(1) "Alternatives to abortion services", services or counseling offered to a pregnant**
3 **woman to assist her in carrying her unborn child to term instead of having an abortion,**
4 **and to assist her in caring for her dependent child or placing her child for adoption;**

5 **(2) "Commission", the choose life commission;**

6 **(3) "Qualified alternatives to abortion agency" or "qualified alternatives to**
7 **abortion agencies", an agency or agencies located in this state established and operating**
8 **primarily to offer alternatives to abortion services, including by way of example but not**

9 limitation maternity homes, pregnancy resource centers, and agencies commonly known
10 and referred to as crisis pregnancy centers, and which does not perform, induce, or refer
11 for abortions or hold itself out as performing, inducing, or referring for abortions, and
12 which if it is a private agency is exempt from income taxation under the United States
13 Internal Revenue Code of 1986, as amended. In order to become a qualified agency, an
14 agency shall submit an application that contains an affidavit signed by an authorized
15 officer of the agency certifying under penalty of perjury that the information given in the
16 application is true and correct to the best of his or her knowledge and belief, including the
17 following information:

18 (a) The agency is a nonprofit organization;

19 (b) The agency does not discriminate based on race, marital status, gender, religion,
20 national origin, handicap, or age;

21 (c) The agency is committed to counseling pregnant women about the option of
22 adoption;

23 (d) The agency is not involved or associated with any abortion activities, including
24 counseling for or referrals to abortion clinics, providing medical abortion-related
25 procedures, or pro-abortion advertising;

26 (e) The agency does not charge women for services received and its officers and
27 directors are not officers or directors of a for-profit adoption agency;

28 (f) The agency understands and agrees that fifty percent of the moneys received
29 annually shall be allocated for the material needs of pregnant women who are planning to
30 place their children for adoption, including clothing, housing, medical care, food, utilities,
31 and transportation, and for such expenses for the infants while awaiting placement with
32 adoptive parents, and fifty percent of the moneys received shall be allocated to enhance
33 their adoption efforts through counseling, training, and advertising;

34 (g) The agency understands and agrees that such moneys shall not be used for
35 administrative expenses, legal expenses, or capital expenditures;

36 (h) The agency understands and agrees that moneys not used within one year of
37 allocation, that exceed ten percent of the allocation, shall be returned to the alternatives
38 to abortion services support fund to be aggregated and redistributed in accordance with
39 section 2 of this act; and

40 (i) The agency agrees that it will submit an annual attestation verifying the moneys
41 received were used in the manner described in this subdivision.

Section 2. 1. There is hereby established in the state treasury the "Missouri
2 Alternatives to Abortion Services Support Fund". The state treasurer shall credit to and
3 deposit in such fund:

4 (1) Moneys that may be required by law to be credited to or deposited in such fund;
5 (2) Moneys that may be appropriated to it by the general assembly;
6 (3) Other amounts that may be received from general revenue, other state funds,
7 grants, gifts, devises, bequests, settlements, awards, or from federal, state, or local sources;
8 and

9 (4) Any other sources granted or given for this specific purpose.

10 2. The state treasurer shall invest moneys in the alternatives to abortion services
11 support fund in the same manner as surplus state funds are invested under section 30.260,
12 RSMo. All earnings that result from the investment of moneys in the fund shall be credited
13 to such fund.

14 3. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys
15 in the alternatives to abortion services support fund shall not revert to the credit of general
16 revenue at the end of the biennium.

17 4. Moneys credited to and deposited in the alternatives to abortion services support
18 fund shall only be used for the purposes authorized under this section. None of the moneys
19 in the fund shall be granted or given to any person who or entity which performs, induces,
20 or refers for abortions or holds himself, herself, or itself out as performing, inducing, or
21 referring for abortions.

22 5. Until the amount in the alternatives to abortion services support fund exceeds
23 one million dollars, not more than one-half of the moneys credited to and deposited in the
24 fund from all sources, plus all earnings from the investment of moneys in the fund during
25 the previous fiscal year, shall be available for disbursement. When the state treasurer
26 certifies that the assets in the fund exceed one million dollars, all credited earnings plus all
27 future credits to the fund from all sources shall be available for disbursement.

28 6. The alternatives to abortion services support fund shall be used to promote
29 childbirth and to support alternatives to abortion by grants to or contracts with:

30 (1) Qualified alternatives to abortion agencies; and

31 (2) Other public and private agencies to provide alternatives to abortion services.

Section 3. 1. There is hereby established the "Choose Life Commission" within the
2 office of administration. The commission shall consist of a number of members equal to
3 the number of congressional districts in the state, one from each congressional district,
4 appointed by the governor with the advice and consent of the senate. Not more than half
5 of the members if there is an even number of members and not more than a simple
6 majority of the members if there is an odd number of members shall be from the same
7 political party.

8 **2. The members of the choose life commission shall serve four-year terms, except**
9 **that of the initial appointments, half of the members if there is an even number of members**
10 **and a simple majority of the members if there is an odd number of members shall be**
11 **appointed for a term of four years and the remainder shall be appointed for a term of two**
12 **years. Before the expiration of the term of a member, the governor shall appoint a**
13 **successor whose term begins on July first next following. Each member shall serve until**
14 **his or her successor is appointed. A member is eligible for reappointment. If there is a**
15 **vacancy of a member for any cause, the governor shall make an appointment for the**
16 **unexpired term with the advice and consent of the senate.**

17 **3. To be eligible for appointment to the choose life commission, a person shall**
18 **demonstrate agreement with the principles and goals set forth in this section regarding**
19 **respect for human life from conception until death, and the need to promote childbirth and**
20 **to offer alternatives to abortion services for pregnant women so that such women are**
21 **encouraged to carry their pregnancies to term instead of having abortions. In making**
22 **appointments to the commission, the governor shall consider only nominees recommended**
23 **to the governor for appointment by pro-life organizations in this state. In giving its advice**
24 **and consent for nominees to appointment to the commission, the senate shall assess the**
25 **eligibility and qualifications of each nominee for appointment to the commission as**
26 **provided by this subsection.**

27 **4. Any member may be removed by the governor for misconduct, incompetency,**
28 **or neglect of duty after first being given the opportunity to be heard on his or her own**
29 **behalf.**

30 **5. The choose life commission shall elect one of its members to serve as chairperson,**
31 **and may elect such other officers and establish such committees as deemed necessary.**

32 **6. The choose life commission may appoint an executive director who shall serve**
33 **subject to the supervision of and at the pleasure of the commission. The executive director**
34 **shall be responsible for the administrative operations of the commission and shall perform**
35 **such other duties as may be delegated or assigned to the executive director by law or by the**
36 **commission. The office of administration shall provide all necessary office space, facilities,**
37 **and equipment. The executive director may hire and set the compensation of such staff as**
38 **is approved by the commission, within the limitations of appropriations for such purpose.**

39 **7. Each member of the choose life commission shall serve without compensation but**
40 **shall be reimbursed for actual and necessary expenses incurred in the performance of his**
41 **or her duties.**

42 **8. The choose life commission shall exercise its powers and duties independently**
43 **of the office of administration, and the office of administration shall not participate in or**

44 supervise any substantive matters relating to policies, regulative functions, or appeals from
45 decisions of the commission. The commissioner of administration, any employee of the
46 office of administration, or the governor, either directly or indirectly, shall not participate
47 or interfere with the activities of the commission in any manner not specifically provided
48 by law, and shall not in any manner interfere with the budget request of the commission
49 or withhold any moneys appropriated to the commission by the general assembly.

50 9. The choose life commission shall meet at least quarterly.

51 10. The powers and duties of the choose life commission shall include but not be
52 limited to the following:

53 (1) To disburse funds from the alternatives to abortion services support fund and
54 any other funds authorized by law to be disbursed by the commission;

55 (2) To consult with appropriate state agencies, commissions, boards, and public and
56 private agencies to determine the effectiveness of and need for alternatives to abortion
57 services and effectiveness of and need for programs that foster respect for human life both
58 before and after birth;

59 (3) To facilitate information exchange and coordination among agencies and groups
60 concerned with offering and promoting alternatives to abortion services, and concerned
61 with offering and promoting programs that foster respect for human life both before and
62 after birth;

63 (4) To develop statewide educational and public informational campaigns,
64 conferences, and workshops for the purpose of developing appropriate public awareness
65 programs under section 188.355, RSMo, regarding:

66 (a) Respect for human life both before and after birth; and

67 (b) The need to offer and promote alternatives to abortion services;

68 (5) To identify problems and conditions some pregnant women have and encounter
69 that causes them to choose to have abortions instead of choosing to carry their pregnancies
70 to term, and propose solutions to such problems and conditions;

71 (6) To develop and operate an Internet web site;

72 (7) To recommend statutory changes and appropriations to promote alternatives
73 to abortion services and to promote programs that foster respect for human life both
74 before and after birth;

75 (8) To solicit and accept state funds, grants, gifts, devises, bequests, settlements,
76 awards, or other aid from the general assembly, any person or business, organization or
77 foundation, public or private, or from federal, state, or local sources; and

78 (9) To perform any other functions or duties consistent with the provisions of this
79 section or otherwise required or permitted by law.

80 **11. The choose life commission shall submit an annual report of its activities to the**
81 **president pro tem of the senate, the speaker of the house of representatives and the**
82 **governor before December thirty-first of each year.**

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