

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1008**  
**96TH GENERAL ASSEMBLY**

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Reported from the Committee on Transportation, May 5, 2011, with recommendation that the Senate Committee Substitute do pass.

2121S.04C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To amend chapter 226, RSMo, by adding thereto one new section relating to highway infrastructure improvement agreements.

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

Section A. Chapter 226, RSMo, is amended by adding thereto one new  
2 section, to be known as section 226.224, to read as follows:

226.224. Notwithstanding any provision of the law to the  
2 contrary, the state highways and transportation commission may enter  
3 into binding highway infrastructure improvement agreements to  
4 reimburse or repay, in an amount and in such terms agreed upon by the  
5 parties, any funds advanced by or for the benefit of a county, political  
6 subdivision, or private entity to expedite state road construction or  
7 improvement. Such highway infrastructure improvement agreements  
8 may provide for the assignment of the state highways and  
9 transportation commission's reimbursement or repayment obligations  
10 in order to facilitate the funding of such improvements. The funds  
11 advanced by or for the benefit of the county, political subdivision, or  
12 private entity for the construction or improvement of state highway  
13 infrastructure shall be repaid by the state highways and transportation  
14 commission from funds from the state road fund in a manner, time  
15 period, and interest rate agreed to upon by the respective parties. The  
16 state highways and transportation commission may condition the  
17 reimbursement or repayment of such advanced funds upon projected  
18 highway revenues only if terms of the contract explicitly state such a  
19 condition. The contract shall further provide for a date or dates

20 certain for repayment of funds and the commission may delay  
21 repayment of the advanced funds if highway revenues fall below the  
22 projections used to determine the repayment schedule, or if repayment  
23 would jeopardize the receipt of federal highway moneys, only if terms  
24 of the contract state such a condition and the contract provides for a  
25 date or dates certain for repayment of funds.

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