

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 68, Page 1, Section A, Line 4, by
2 inserting after all of said section and line the following:

3
4 "173.2553. 1. There is hereby established a "Fast Track Workforce Incentive Grant", and
5 any moneys appropriated by the general assembly for this program shall be used to provide grants
6 for Missouri citizens to attend an approved Missouri postsecondary institution of their choice in
7 accordance with the provisions of this section.

8 2. The definitions of terms set forth in section 173.1102 shall be applicable to such terms as
9 used in this section. In addition, the following terms shall mean:

10 (1) "Board", the coordinating board for higher education;

11 (2) "Eligible student", an individual who:

12 (a) Has completed and submitted a FAFSA for the academic year for which the grant is
13 requested;

14 (b) Is a citizen or permanent resident of the United States;

15 (c) Is a Missouri resident as determined by reference to standards promulgated by the
16 coordinating board;

17 (d) Is enrolled, or plans to enroll, at least half-time as a student in an eligible undergraduate
18 program of study offered by an approved public, private, or virtual institution, as defined in section
19 173.1102;

20 (e) Has an adjusted gross income, as reported on the FAFSA, that does not exceed eighty
21 thousand dollars for married filing joint taxpayers or forty thousand for all other taxpayers; and

22 (f) Is twenty-five years of age or older at the time of enrollment or has not been enrolled in
23 an educational program for the prior two academic years;

24 (3) "Eligible program of study", a program of instruction:

25 (a) Resulting in the award of a certificate, undergraduate degree, or other industry-
26 recognized credential; and

27 (b) That has been designated by the coordinating board as preparing students to enter an
28 area of occupational shortage as determined by the board;

29 (4) "FAFSA", the Free Application for Federal Student Aid, as maintained by the United
30 States Department of Education;

31 (5) "Fast track grant", an amount of moneys paid by the state of Missouri to a student under
32 the provisions of this section;

33 (6) "Graduation", completion of a program of study as indicated by the award of a
34 certificate, undergraduate degree, or other industry-recognized credential;

35 (7) "Qualifying employment", full-time employment of a Missouri resident at a workplace
36 located within the state of Missouri, or self-employment while a Missouri resident, with at least fifty

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1 percent of an individual's annual income coming from self-employment, either of which result in
2 required returns of income in accordance with section 143.481;

3 (8) "Recipient", an eligible student or renewal student who receives a fast track grant under
4 the provisions of this section;

5 (9) "Renewal student", an eligible student who remains in compliance with the provisions of
6 this section, has received a grant as an initial recipient, maintains a cumulative grade-point average
7 of at least two and one-half on a four-point scale or the equivalent, makes satisfactory academic
8 degree progress as defined by the institution, with the exception of grade-point average, and has not
9 received a bachelor's degree.

10 3. Standards of eligibility for renewed assistance shall be the same as for an initial award of
11 financial assistance; except that, for renewal, an applicant shall demonstrate a grade-point average
12 of two and one-half on a four-point scale, or the equivalent on another scale.

13 4. Eligibility for a grant expires upon the earliest of:

14 (1) Receipt of the grant for four semesters or the equivalent;

15 (2) Receipt of a bachelor's degree; or

16 (3) Reaching two hundred percent of the time typically required to complete the program of
17 study.

18 5. The coordinating board shall initially designate eligible programs of study by January 1,
19 2020, in connection with local education institutions, regional business organizations, and other
20 stakeholders. The coordinating board shall annually review the list of eligible programs of study
21 and make changes to the program list as it determines appropriate.

22 6. The coordinating board shall be the administrative agency for the implementation of the
23 program established by this section. The coordinating board shall promulgate reasonable rules and
24 regulations for the exercise of its functions and the effectuation of the purposes of this section. The
25 coordinating board shall prescribe the form and the time and method of filing applications and
26 supervise the processing thereof. The coordinating board shall determine the criteria for eligibility
27 of applicants and shall evaluate each applicant's eligibility. The coordinating board shall select
28 qualified recipients to receive grants, make such awards of financial assistance to qualified
29 recipients, and determine the manner and method of payment to the recipients.

30 7. The coordinating board shall determine eligibility for renewed assistance on the basis of
31 annual applications. As a condition to consideration for initial or renewed assistance, the
32 coordinating board may require the applicant and the applicant's spouse to execute forms of consent
33 authorizing the director of revenue to compare financial information submitted by the applicant with
34 the Missouri individual income tax returns of the applicant, and the applicant's spouse, for the
35 taxable year immediately preceding the year for which application is made, and to report any
36 discrepancies to the coordinating board.

37 8. Grants shall be awarded in an amount equal to the actual tuition and general fees charged
38 of an eligible student, after all federal nonloan aid, state student aid, and any other governmental
39 student financial aid are applied. If a grant amount is reduced to zero due to the receipt of other aid,
40 the eligible student shall receive an award of up to five hundred dollars or the remaining cost of
41 attendance as calculated by the institution after all nonloan student aid has been applied, whichever
42 is less, per academic term.

43 9. If appropriated funds are insufficient to fund the program as described, students applying
44 for renewed assistance shall be given priority until all funds are expended.

45 10. A recipient of financial assistance may transfer from one approved public, private, or
46 virtual institution to another without losing eligibility for assistance under this section, but the
47 coordinating board shall make any necessary adjustments in the amount of the award. If a recipient
48 of financial assistance at any time is entitled to a refund of any tuition or fees under the rules and
49 regulations of the institution in which he or she is enrolled, the institution shall pay the portion of

1 the refund that may be attributed to the grant to the coordinating board. The coordinating board
2 shall use these refunds to make additional awards under the provisions of this section.

3 11. Subject to the requirements of subsections 2, 3, and 4 of this section, a student is eligible
4 for a fast track grant under this section if the student meets all of the following criteria:

5 (1) The student has successfully completed counseling explaining the benefits and
6 obligations of the program under this section, including the terms and conditions of the promissory
7 note under subdivision (2) of this subsection and the consequences of noncompliance specified in
8 section 173.2554; and

9 (2) The student executes a promissory note acknowledging that the fast track grant moneys
10 awarded under this section will be converted to a loan, and agreeing to repay that loan if he or she
11 fails to satisfy the following conditions:

12 (a) Maintenance of at least half-time enrollment in an eligible program, with an interruption
13 of qualifying enrollment of no more than twelve consecutive months from the last day of the most
14 recent payment period during which the student received a fast track award;

15 (b) Graduation from an approved institution; or

16 (c) Residency within the state of Missouri within twelve months after the date of the
17 student's graduation and for a period of not less than three years and qualifying employment within
18 twelve months of the student's graduation and for a period of not less than three years. Residency
19 and qualifying employment obligations may be deferred if the recipient's studies continue after
20 graduation.

21 12. Persons who receive fast track grants under this section shall be required to submit proof
22 of residency and qualifying employment to the coordinating board for higher education within thirty
23 days of completing each twelve months of qualifying employment until the three year employment
24 obligation is fulfilled.

25 13. Under section 23.253 of the Missouri sunset act:

26 (1) The provisions of the new program authorized under this section shall sunset
27 automatically three years after the effective date of this section, unless reauthorized by an act of the
28 general assembly; and

29 (2) If such program is reauthorized, the program authorized under this section shall sunset
30 automatically six years after the effective date of the reauthorization; and

31 (3) This section shall terminate on December thirty-first of the calendar year immediately
32 following the calendar year in which the program authorized under this section is sunset.

33 173.2554. 1. Except as provided in subsection 2 of this section, if a student who received a
34 fast track grant under section 173.2553 fails to comply with the terms of the promissory note under
35 subdivision (2) of subsection 11 of section 173.2553, including failure to satisfy the conditions in
36 paragraphs (a), (b), and (c) of such subdivision, the fast track grant shall be converted to a loan.
37 This loan shall accrue interest at the federal direct loan interest rate for Direct Subsidized
38 Undergraduate Loans in effect at the time the student enters the eligible program. Interest shall be
39 calculated from the date the recipient enters repayment. For a recipient who fulfills some, but not
40 all, of his or her three-year residency and employment obligations, the amount of the fast track grant
41 that is converted to a loan shall be reduced by one-third for each period of twelve months of
42 residency and employment as verified by the proof of residency and qualifying employment
43 required in subsection 12 of section 173.2553.

44 2. The coordinating board shall provide for a waiver under the fast track grant if the grant is
45 not converted to a loan under subsection 1 of this section for a recipient who fails to comply with
46 terms of the agreement under paragraphs (a), (b), and (c) of subdivision (2) of subsection 11 of
47 section 173.2553 due to his or her total and permanent disability or death, the total and permanent
48 disability or death of his or her spouse or child, or if such recipient or recipient's spouse is providing
49 service to any branch of the Armed Forces of the United States and is transferred out of state and is

1 no longer able to maintain Missouri residency as a result of such service. The waiver shall specify
 2 standards for the board's determination of total and permanent disability or death standards for the
 3 board's determination of total and permanent disability or death, or military transfer status, and a
 4 process for seeking a waiver under this subsection.

5 3. The coordinating board shall deposit in the fast track workforce incentive grant fund all
 6 repayments of principal and interest on the loans under subsection 1 of this section.

7 4. The coordinating board shall establish a procedure and guidelines for granting deferments
 8 or forbearances of fast track grants that have converted to loans and are in repayment status for
 9 recipients who:

10 (1) Are enrolled at least half-time at an institution of higher education;

11 (2) Experience economic hardship;

12 (3) Have a medical condition limiting their ability to continue repayment including, but not
 13 limited to, illness, disability, or pregnancy; or

14 (4) Are providing service to any branch of the Armed Forces of the United States.

15 5. The coordinating board shall establish a procedure and guidelines for granting loan
 16 discharge for fast track grants that have been converted to loans and are in repayment for recipients
 17 who are unable to fulfill the repayment obligation due to their total and permanent disability or
 18 death or the total and permanent disability or death of their spouse or child.

19 6. (1) There is hereby created in the state treasury the "Fast Track Workforce Incentive
 20 Grant Fund". The state treasurer shall be custodian of the fund. In accordance with sections 30.170
 21 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and,
 22 upon appropriation, moneys in the fund shall be used solely by the coordinating board for the
 23 purposes of this section and section 173.2553.

24 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining
 25 in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

26 (3) The state treasurer shall invest moneys in the fund in the same manner as other funds are
 27 invested. Any interest and moneys earned on such investments shall be credited to the fund.

28 7. The coordinating board shall have the authority to promulgate rules to implement the
 29 provisions of this section and section 173.2553. Any rule or portion of a rule, as that term is defined
 30 in section 536.010, that is created under the authority delegated in this section shall become
 31 effective only if it complies with and is subject to all of the provisions of chapter 536, and, if
 32 applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the
 33 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
 34 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
 35 rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and
 36 void."; and

37
 38 Further amend said bill, Page 8, Section 620.806, Line 3, by deleting the word "which" and inserting
 39 in lieu thereof the word "that"; and

40
 41 Further amend said bill, Page 10, Section 620.809, Line 4, by deleting the word "which" and
 42 inserting in lieu thereof the word "that"; and

43
 44 Further amend said bill, Page 17, Section 620.2005, Line 26, by deleting the word "perform" and
 45 inserting in lieu thereof the word "[~~perform~~] performed"; and

46
 47 Further amend said bill, page, and section, Line 44, by deleting all of said line and inserting in lieu
 48 thereof the following:

49

1 "(11) "Manufacturing capital investment", expenditures made by a qualified manufacturing
 2 company to retool or reconfigure a manufacturing project facility directly related to the
 3 manufacturing of a new product or the expansion or modification of the manufacture of an existing
 4 product;

5 [40-] (12) "NAICS" or "NAICS industry classification", the classification provided by"; and
 6

7 Further amend said bill, page, and section, by renumbering all subsequent subdivisions; and
 8

9 Further amend said bill and section, Page 18, Line 66, by deleting all of said line and inserting in
 10 lieu thereof the following:

11 "[(15)] (17) "New product", a new model or line of a manufactured good that has not been
 12 manufactured in Missouri by a qualified manufacturing company at any time prior to the date of the
 13 notice of intent, or an existing brand, model, or line of a manufactured good that is redesigned;

14 (18) "Notice of intent", a form developed by the department and available online,"; and
 15

16 Further amend said bill, page, and section by renumbering all subsequent subdivisions;
 17

18 Further amend said bill, page, and section, Line 74, by inserting after the word "located" the phrase
 19 "or by a qualified manufacturing company at which a manufacturing capital investment is or will be
 20 located"; and

21
 22 Further amend said bill and section, Page 20, Line 141, by deleting said line and inserting in lieu
 23 thereof the following:

24 "[(24)] (27) "Qualified manufacturing company", a company that:

25 (a) Is a qualified company that manufactures motor vehicles (NAICS group 3361);

26 (b) Manufactures goods at a facility in Missouri;

27 (c) Manufactures a new product or has commenced making a manufacturing capital investment
 28 to the project facility necessary for the manufacturing of such new product, or modifies or expands
 29 the manufacture of an existing product or has commenced making a manufacturing capital
 30 investment for the project facility necessary for the modification or expansion of the manufacture of
 31 such existing product; and

32 (d) Continues to meet the requirements of paragraphs (a) to (c) of this subdivision for the
 33 project period;

34 (28) "Related company", shall mean:"; and
 35

36 Further amend said bill and section by renumbering subsequent subdivisions accordingly; and
 37

38 Further amend said bill, Page 21, Section 620.2010, Line 5, by deleting the word "(30)" and
 39 inserting in lieu thereof "~~(30)~~ (34)"; and
 40

41 Further amend said bill and section, Page 22, Line 29, by inserting after the word "subsection" the
 42 following phrase "or a qualified manufacturing company under subsection 3 of this section"; and
 43

44 Further amend said bill, page, and section, Line 35, by inserting after the word "investment," the
 45 following phrase "manufacturing capital investment,"; and
 46

47 Further amend said bill, page, and section, Line 42, by deleting said line and inserting in lieu thereof
 48 the following:

49 "3. The department may award tax credits to a qualified manufacturing company that makes

1 a manufacturing capital investment of at least five hundred million dollars not more than three years
 2 following the department's approval of a notice of intent and the execution of an agreement that
 3 meets the requirements of subsection 4 of this section. Such tax credits shall be issued no earlier
 4 than January 1, 2023, and may be issued each year for a period of five years. A qualified
 5 manufacturing company may qualify for an additional five-year period under this subsection if it
 6 makes an additional manufacturing capital investment of at least two hundred fifty million dollars
 7 within five years of the department's approval of the original notice of intent.

8 (1) The maximum amount of tax credits that any one qualified manufacturing company may
 9 receive under this subsection shall not exceed five million dollars per calendar year. The aggregate
 10 amount of tax credits awarded to all qualified manufacturing companies under this subsection shall
 11 not exceed ten million dollars per calendar year.

12 (2) If, at the project facility at any time during the project period, the qualified
 13 manufacturing company discontinues the manufacturing of the new product, or discontinues the
 14 modification or expansion of an existing product, and does not replace it with a subsequent or
 15 additional new product or with a modification or expansion of an existing product, the company
 16 shall immediately cease receiving any benefit awarded under this subsection for the remainder of
 17 the project period and shall forfeit all rights to retain or receive any benefit awarded under this
 18 subsection for the remainder of such period.

19 (3) Notwithstanding any other provision of law to the contrary, any qualified manufacturing
 20 company that is awarded benefits under this section shall not simultaneously receive tax credits or
 21 exemptions under sections 100.700 to 100.850 for the jobs created or retained or capital
 22 improvement that qualified for benefits under this section. The provisions of subsection 5 of section
 23 285.530 shall not apply to a qualified manufacturing company that is awarded benefits under this
 24 section.

25 4. Upon approval of a notice of intent to receive tax credits under [subsections 2 and 5];
 26 and

27
 28 Further amend said bill, page, and section by renumbering subsequent subsections accordingly; and

29
 30 Further amend said bill, page, and section, Line 43, by deleting the phrase "subsection 2, 5, or 6"
 31 and inserting in lieu thereof the phrase "subsection 2, 3, 6, or 7"; and

32
 33 Further amend said bill, page, and section, Line 46, by inserting after the word "investment" the
 34 phrase ", or the manufacturing capital investment and committed percentage of retained jobs"; and

35
 36 Further amend said bill, page, and section, Line 54, by deleting the number "6" and inserting in lieu
 37 thereof the number "7"; and

38
 39 Further amend said bill and section, Page 23, Line 61, by deleting the number "(30)" and inserting in
 40 lieu thereof the number "(34)"; and

41
 42 Further amend said bill, page, and section, Lines 77 and 78, by deleting the number "4" and
 43 inserting in lieu thereof the number "[4] 5"; and

44
 45 Further amend said bill, page, and section, Line 89, by deleting the numbers "4, and 5" and inserting
 46 in lieu thereof the numbers "5, and 6"; and

47
 48 Further amend said bill and section, Page 24, Line 104, by inserting after the word "wage." the
 49 phrase "Notwithstanding the provisions of section 620.2020 to the contrary, this subsection, shall

1 expire on June 30, 2025."; and

2
3 Further amend said bill and section, Page 24, Line 108, by inserting after the word "investment" the
4 phrase "or manufacturing capital investment"; and

5
6 Further amend said bill and page, Section 620.2020, Line 3, by inserting after the word "request."
7 the phrase "The department shall respond to a written request, by or on behalf of a qualified
8 manufacturing company, for a proposed benefit award under the provisions of this program within
9 fifteen business days of receipt of such request."; and

10
11 Further amend said bill and section, Page 25, Line 24, by deleting the number "(19)" and inserting in
12 lieu thereof the number "~~(19)~~ (21)"; and

13
14 Further amend said bill, page, and section, Line 57, by deleting the number "6" and inserting in lieu
15 thereof the number "7"; and

16
17 Further amend said bill and section, Page 26, Line 60, by deleting the number "3" and inserting in
18 lieu thereof the number "4"; and

19
20 Further amend said bill, page, and section, Line 79, by deleting all of said line and inserting in lieu
21 thereof the following:

22
23 "~~(3)~~ (c) For ~~[any]~~ fiscal ~~[year]~~ years beginning on or after July 1, 2015, but ending on or;
24 and

25
26 Further amend said bill, page, and section, Lines 89-91, by deleting all of said lines and inserting in
27 lieu thereof the following:

28
29 "year for the purpose of the completion of infrastructure projects directly connected with the
30 creation or retention of jobs under the provisions of section 620.2000 to 620.2020 and an additional
31 ten million dollars in tax credits may be authorized for each fiscal year for a qualified manufacturing
32 company based on a manufacturing capital investment as set forth in section 620.2010."; and

33
34 Further amend said bill, page, and section, Line 93, by inserting after the word "retention" the
35 phrase "for the creation of new jobs"; and

36
37 Further amend said bill and section, Page 27, Line 96, by inserting after the word "retention" the
38 phrase "for the creation of new jobs"; and

39
40 Further amend said bill, page, and section, Line 104, by deleting the number "6" and inserting in
41 lieu thereof the number "7"; and

42
43 Further amend said bill, page, and section, Line 112, by deleting the number "6" and inserting in lieu
44 thereof the number "7"; and

45
46 Further amend said bill, page, and section, Line 114, by deleting the number "3" and inserting in lieu
47 thereof the number "4"; and

48
49 Further amend said bill and section, Page 30, Line 202, by deleting the word "this" and inserting in

1 lieu thereof the word “[~~this~~] the”; and

2

3 Further amend said bill by amending the title, enacting clause, and intersectional references
4 accordingly.

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