

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Bill No. 405, Page 1, Section 9.090, Line 6, by inserting after said section and line the
2 following:

3
4 "185.070. 1. There is hereby established the designation of "Missouri Historical Theater".

5 2. As used in this section, the following terms mean:

6 (1) "Missouri state council on the arts" or "council", as established in section 185.010;

7 (2) "Theater", a 501(c)(3) organization that produces plays, musicals, and other dramatic
8 performances.

9 3. The council shall administer the Missouri historical theater program including, but not limited to,
10 creating application forms, establishing a time line for applications, announcing theaters receiving the
11 designation, creating a process to ensure theaters who receive the designation maintain eligibility, and
12 establishing an application fee to cover the costs of administering the program and providing the certificate in
13 subsection 5.

14 4. The council shall use the following criteria to determine which theaters should receive the state
15 historical theater designation:

16 (1) The theater is a 501(c)(3) not-for-profit organization;

17 (2) The theater produces a minimum of three shows open to the public each year;

18 (3) The extent to which the theater contributes to tourism in Missouri;

19 (4) The extent to which the theater promotes the arts in its community and throughout Missouri; and

20 (5) The theater has been operational for a minimum of fifty years.

21 5. All theaters selected for the state historical theater designation shall receive a certificate, suitable
22 for framing, from the council.

23 6. Each year, the council shall provide a list of theaters that have the state historical theater
24 designation to the division of tourism.

25 7. With the advice of the Missouri state council on the arts, the director of the department of
26 economic development may promulgate all necessary rules and regulations for the administration of this
27 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
28 authority delegated in this section shall become effective only if it complies with and is subject to all of the
29 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable,
30 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
31 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
32 rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void."; and

33
34 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____