

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 594, Page 44, Section 163.024, Line 17, by inserting after all of said section and line  
3 the following:  
4

5 "163.164. 1. Notwithstanding any provision of law to the contrary, in any fiscal year in  
6 which the total appropriation for the formula pursuant to section 163.031 is in excess of the amount  
7 reimbursed to public schools, the department of elementary and secondary education shall transfer  
8 such excess cash balances by the fifteenth day of the succeeding fiscal year to the school  
9 transportation fund established in this section.

10 2. (1) There is hereby created in the state treasury the "School Transportation Fund", which  
11 shall consist of money collected under this section. The state treasurer shall be custodian of the  
12 fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve  
13 disbursements. The fund shall be administered by the commissioner of the department of  
14 elementary and secondary education. The school transportation fund shall consist of moneys  
15 transferred by the department pursuant to subsection 1 of this section, to be used by public school  
16 districts to provide transportation to students. Such funds shall be paid to public school districts in  
17 addition to the state aid provided for transportation pursuant to section 163.161, based on the cost of  
18 pupil transportation in accordance with section 163.161.

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

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

23 3. The provisions of this section shall not apply in any year in which state transportation aid  
24 reaches seventy-five percent of the total allowable cost of transporting all pupils eligible to be  
25 transported."; and  
26

27 Further amend said bill, Page 46, Section 173.2712, Line 15, by inserting after said section and line  
28 the following:  
29

30 "205.202.1. The governing body of any hospital district established under sections 205.160 to  
31 205.379 in any county of the third classification without a township form of government and with  
32 more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants  
33 may, by resolution, abolish the property tax levied in such district under this chapter and impose a  
34 sales tax on all retail sales made within the district which are subject to sales tax under chapter  
35 144. The tax authorized in this section shall be not more than one percent, and shall be imposed  
36 solely for the purpose of funding the hospital district. The tax authorized in this section shall be in

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1 addition to all other sales taxes imposed by law, and shall be stated separately from all other charges  
2 and taxes.

3 2.No such resolution adopted under this section shall become effective unless the governing  
4 body of the hospital district submits to the voters residing within the district at a state general,  
5 primary, or special election a proposal to authorize the governing body of the district to impose a tax  
6 under this section.If a majority of the votes cast on the question by the qualified voters voting  
7 thereon are in favor of the question, then the tax shall become effective on the first day of the second  
8 calendar quarter after the director of revenue receives notification of adoption of the local sales  
9 tax.If a majority of the votes cast on the question by the qualified voters voting thereon are opposed  
10 to the question, then the tax shall not become effective unless and until the question is resubmitted  
11 under this section to the qualified voters and such question is approved by a majority of the qualified  
12 voters voting on the question.

13 3.All revenue collected under this section by the director of the department of revenue on  
14 behalf of the hospital district, except for one percent for the cost of collection which shall be  
15 deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is  
16 hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used  
17 solely for the designated purposes.Moneys in the fund shall not be deemed to be state funds, and  
18 shall not be commingled with any funds of the state.The director may make refunds from the  
19 amounts in the fund and credited to the district for erroneous payments and overpayments made, and  
20 may redeem dishonored checks and drafts deposited to the credit of such district.Any funds in the  
21 special fund which are not needed for current expenditures shall be invested in the same manner as  
22 other funds are invested.Any interest and moneys earned on such investments shall be credited to  
23 the fund.

24 4.The governing body of any hospital district that has adopted the sales tax authorized in this  
25 section may submit the question of repeal of the tax to the voters on any date available for elections  
26 for the district.If a majority of the votes cast on the question by the qualified voters voting thereon  
27 are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar  
28 year in which such repeal was approved.If a majority of the votes cast on the question by the  
29 qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section  
30 shall remain effective until the question is resubmitted under this section to the qualified voters and  
31 the repeal is approved by a majority of the qualified voters voting on the question.

32 5.Whenever the governing body of any hospital district that has adopted the sales tax  
33 authorized in this section receives a petition, signed by a number of registered voters of the district  
34 equal to at least ten percent of the number of registered voters of the district voting in the last  
35 gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the  
36 governing body shall submit to the voters of the district a proposal to repeal the tax.If a majority of  
37 the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the  
38 repeal shall become effective on December thirty-first of the calendar year in which such repeal was  
39 approved.If a majority of the votes cast on the question by the qualified voters voting thereon are  
40 opposed to the repeal, then the sales tax authorized in this section shall remain effective until the  
41 question is resubmitted under this section to the qualified voters and the repeal is approved by a  
42 majority of the qualified voters voting on the question.

43 6. If the tax is repealed or terminated by any means other than by a dissolution of a hospital  
44 district as described in subsection 7 of this section, all funds remaining in the special trust fund shall  
45 continue to be used solely for the designated purposes, and the hospital district shall notify the  
46 director of the department of revenue of the action at least ninety days before the effective date of  
47 the repeal and the director may order retention in the trust fund, for a period of one year, of two  
48 percent of the amount collected after receipt of such notice to cover possible refunds or  
49 overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such

1 accounts. After one year has elapsed after the effective date of abolition of the tax in such district,  
 2 the director shall remit the balance in the account to the district and close the account of that  
 3 district. The director shall notify each district of each instance of any amount refunded or any check  
 4 redeemed from receipts due the district.

5 7. Upon the dissolution of a hospital district levying a sales tax pursuant to this section, the  
 6 sales tax shall be automatically repealed and all funds remaining in the special trust fund shall be  
 7 distributed as follows:

8 (1) Twenty-five percent shall be distributed to the county public health center established  
 9 pursuant to sections 205.010 to 205.150; and

10 (2) Seventy-five percent shall be distributed to a federally qualified health center, as defined  
 11 in 42 U.S.C. Section 1396d(1)(1) and (2), located in the county."; and

12  
 13 Further amend said bill, Page 47, Section 262.760, Line 15, by inserting after all of said section and  
 14 line the following:

15  
 16 "321.621. 1. For the purposes of this section, "qualified first responder" shall mean any  
 17 state and local law enforcement agency staff, fire department personnel, fire district personnel, or  
 18 licensed emergency medical technician who is acting under the directives and established protocols  
 19 of a medical director of a local licensed ground ambulance service licensed under section 190.109  
 20 who comes in contact with a person suffering from an anaphylactic reaction and who has received  
 21 training in recognizing and responding to anaphylactic reactions and the administration of  
 22 epinephrine auto-injector devices to a person suffering from an apparent anaphylactic reaction.  
 23 "Qualified first responder agencies" shall mean any state or local law enforcement agency, fire  
 24 department, or ambulance service that provides documented training to its staff related to the  
 25 administration of epinephrine auto-injector devices in an apparent anaphylactic reaction.

26 2. The department of health and senior services shall issue epinephrine auto-injector devices  
 27 for adult patients to fire protection districts in nonmetropolitan areas in Missouri as such areas are  
 28 determined according to the United States Census Bureau's American Community Survey, based on  
 29 the most recent of five-year period estimate data in which the final year of the estimate ends in  
 30 either zero or five.

31 3. Possession and use of epinephrine auto-injector devices for adult patients shall be limited  
 32 as follows:

33 (1) No person shall use an epinephrine auto-injector device unless such person has  
 34 successfully completed a training course in the use of epinephrine auto-injector devices for adult  
 35 patients approved by the director of the department of health and senior services. Nothing in this  
 36 section shall prohibit the use of an epinephrine auto-injector device:

37 (a) By a health care professional licensed or certified by this state who is acting within the  
 38 scope of his or her practice; or

39 (b) By a person acting pursuant to a lawful prescription;

40 (2) Every person, firm, organization and entity authorized to possess and use epinephrine  
 41 auto-injector devices for adult patients pursuant to this section shall use, maintain and dispose of  
 42 such devices for adult patients in accordance with the rules of the department;

43 (3) Every use of an epinephrine auto-injector device pursuant to this section shall  
 44 immediately be reported to the emergency health care provider as defined in section 190.246.

45 4. (1) Use of an epinephrine auto-injector device pursuant to this section shall be  
 46 considered first aid or emergency treatment for the purpose of any law relating to liability.

47 (2) Purchase, acquisition, possession or use of an epinephrine auto-injector device pursuant  
 48 to this section shall not constitute the unlawful practice of medicine or the unlawful practice of a  
 49 profession.

1           (3) Any person otherwise authorized to sell or provide an epinephrine auto-injector device  
2 may sell or provide it to a person authorized to possess it pursuant to this section.

3           5. Any person, firm, organization or entity that violates the provisions of this section is  
4 guilty of a class B misdemeanor.

5           6. (1) There is hereby created in the state treasury the "Epinephrine Auto-injector Devices  
6 for Fire Personnel Fund", which shall consist of money collected under this section. The state  
7 treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state  
8 treasurer may approve disbursements. The moneys in the fund as set forth in this section shall be  
9 subject to appropriation by the general assembly for the particular purpose for which collected. The  
10 fund shall be a dedicated fund and money in the fund shall be used solely by the department of  
11 health and senior services for the purposes of providing epinephrine auto-injector devices for adult  
12 patients to qualified first responder agencies as used in this section.

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

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

17  
18 Further amend said bill by amending the title, enacting clause, and intersectional references  
19 accordingly.