

FIRST REGULAR SESSION

# HOUSE BILL NO. 417

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HENDERSON.

1211H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to grants to employers to encourage employees to obtain upskill credentials.

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

Section A. Chapter 620, RSMo, is amended by adding thereto one new section, to be known as section 620.2500, to read as follows:

**620.2500. 1. For purposes of this section, the following terms mean:**

- (1) "Employee", any person employed by a qualifying employer or any person who is a prospective employee of a qualifying employer, provided such person is not an independent contractor;
- (2) "Health care-focused credential", a credential that demonstrates the competencies necessary to succeed in an occupation related to the delivery of health care services;
- (3) "Public body", the state of Missouri, any department, division, commission, board, or political subdivision thereof;
- (4) "Qualifying employer", any employer registered to do business in the state of Missouri, provided the employer is not a public body;
- (5) "Technology-focused credential", a credential that demonstrates the competencies necessary to succeed in an occupation that utilizes technology to develop, build, and deliver products and services;
- (6) "Training provider", any entity that provides training in upskill credentials;
- (7) "Upskill credential", includes, but is not limited to:
- (a) Health care-focused credentials;

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.

18           **(b) Technology-focused credentials; and**  
19           **(c) Any other credential indicated by a qualifying employer as necessary for**  
20 **improving the skills of its current and prospective employees.**

21           **2. The department of economic development may distribute to any qualifying**  
22 **employer a reimbursement not to exceed two thousand dollars for each employee who**  
23 **obtains upskill credentials, provided that no qualifying employer shall receive more**  
24 **than thirty thousand dollars under this section in any fiscal year. A qualifying employer**  
25 **shall submit an application for an award for such reimbursement as provided in this**  
26 **section in order to receive such funds.**

27           **3. The department of economic development shall design an application form for**  
28 **qualifying employers to apply for an award for reimbursement. The application form**  
29 **shall contain all information that the department deems necessary to fulfill the**  
30 **provisions of this section.**

31           **4. (1) There is hereby created in the state treasury the "Upskill Credential**  
32 **Training Fund", which shall consist of moneys appropriated by the general assembly,**  
33 **which shall not exceed six million dollars per fiscal year. The state treasurer shall be**  
34 **custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer**  
35 **may approve disbursements. The fund shall be a dedicated fund and, upon**  
36 **appropriation, moneys in this fund shall be used solely as provided in this section.**

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

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

43           **5. (1) The department of economic development shall evaluate all applications**  
44 **submitted by qualifying employers on a competitive basis using the following criteria:**

45           **(a) The pledged average wage increase that employees or prospective employees**  
46 **will realize after obtaining the upskill credential in relation to the cost of obtaining the**  
47 **upskill credential;**

48           **(b) The level of economic distress in the qualifying employer's region and the**  
49 **balance of awards made to the various regions of the state; and**

50           **(c) The contribution made by the qualifying employer toward the cost of**  
51 **obtaining the upskill credential.**

52           **(2) Applications shall be evaluated at the close of the application period, as**  
53 **determined by the department, and shall not be awarded on a first-come, first-served**

54 basis. The department may make preliminary awards for reimbursement only after the  
55 application period has closed.

56 (3) In making awards under this section, the department shall reserve:

57 (a) Two million dollars to award exclusively to qualifying employers with at least  
58 one but not more than fifty employees; and

59 (b) Two million dollars to award exclusively to qualifying employers with at least  
60 fifty-one but not more than two hundred employees.

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62 However, any amount reserved under this subdivision that is not issued or awarded by  
63 March first of the fiscal year shall no longer be reserved and may be issued to any  
64 employer otherwise eligible for an award under this section.

65 (4) Applications shall be considered during application periods as determined by  
66 the department.

67 6. (1) Upon being given a preliminary award for reimbursement under this  
68 section, each qualifying employer shall sponsor a current or prospective employee to  
69 obtain an upskill credential within twelve months of the preliminary award. A current  
70 or prospective employee shall not commence the process of obtaining the upskill  
71 credential until after a preliminary award has been made.

72 (2) Upon obtaining the upskill credential, the qualifying employer shall submit  
73 proof of the upskill credential to the department of economic development.

74 (3) To receive the reimbursement, the qualifying employer shall provide to the  
75 department proof that the individual who completed the upskill credential is a Missouri  
76 resident with a verifiable Missouri address. Such proof shall be submitted to the  
77 department in the manner requested by the department within six weeks of completing  
78 the upskill credential.

79 (4) If the department is satisfied that the current or prospective employee has  
80 obtained the upskill credential based upon evidence provided under subdivision (2) of  
81 this subsection and the provisions of subdivision (3) of this subsection have been  
82 satisfied, the department shall grant the qualifying employer the reimbursement  
83 indicated in the preliminary award.

84 7. Training providers shall not be eligible for awards issued under this section  
85 unless employees are trained by an outside training provider.

86 8. The director of the department of economic development may promulgate all  
87 necessary rules and regulations for the administration of this section. Any rule or  
88 portion of a rule, as that term is defined in section 536.010, that is created under the  
89 authority delegated in this section shall become effective only if it complies with and is  
90 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This

91 **section and chapter 536 are nonseverable, and if any of the powers vested with the**  
92 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**  
93 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**  
94 **rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be**  
95 **invalid and void.**

96 **9. Under section 23.253 of the Missouri sunset act:**

97 **(1) The provisions of the new program authorized under this section shall**  
98 **automatically sunset six years after the effective date of this section unless reauthorized**  
99 **by an act of the general assembly;**

100 **(2) If such program is reauthorized, the program authorized under this section**  
101 **shall automatically sunset twelve years after the effective date of the reauthorization of**  
102 **this section; and**

103 **(3) This section shall terminate on September first of the calendar year**  
104 **immediately following the calendar year in which the program authorized under this**  
105 **section is sunset.**

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