

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 417
102ND GENERAL ASSEMBLY

1211H.03C

DANA RADEMAN MILLER, Chief Clerk

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.

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
2 known as section 620.2500, to read as follows:

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

2 **(1) "Employee", any person employed by a qualifying employer or any person**
3 **who is a prospective employee of a qualifying employer, provided such person is not an**
4 **independent contractor;**

5 **(2) "Health care-focused credential", a credential that demonstrates the**
6 **competencies necessary to succeed in an occupation related to the delivery of health care**
7 **services;**

8 **(3) "Public body", the state of Missouri, any department, division, commission,**
9 **board, or political subdivision thereof including, but not limited to, institutions of**
10 **postsecondary education that offer required courses and training necessary for an**
11 **employee to obtain upskill credentials. The term "public body" shall be construed to**
12 **exclude any:**

13 **(a) Facility that meets the definition of hospital in section 197.020;**

14 **(b) Long-term care facility licensed under chapter 198; or**

15 **(c) Public hospital established and maintained under chapter 205;**

16 **(4) "Qualifying employer", any employer registered to do business in the state of**
17 **Missouri, provided the employer is not a public body;**

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 **(5) "Technology-focused credential", a credential that demonstrates the**
19 **competencies necessary to succeed in an occupation that utilizes technology to**
20 **develop, build, and deliver products and services;**

21 **(6) "Training provider", any entity that provides training in upskill credentials;**

22 **(7) "Upskill credential", includes, but is not limited to:**

23 **(a) Health care-focused credentials;**

24 **(b) Technology-focused credentials; and**

25 **(c) Any other credential indicated by a qualifying employer as necessary for**
26 **improving the skills of its current and prospective employees.**

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

33 **3. The department of economic development shall design an application form for**
34 **qualifying employers to apply for an award for reimbursement. The application form**
35 **shall contain all information that the department deems necessary to fulfill the**
36 **provisions of this section.**

37 **4. (1) There is hereby created in the state treasury the "Upskill Credential**
38 **Training Fund", which shall consist of moneys appropriated by the general assembly,**
39 **which shall not exceed six million dollars per fiscal year. The state treasurer shall be**
40 **custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer**
41 **may approve disbursements. The fund shall be a dedicated fund and, upon**
42 **appropriation, moneys in this fund shall be used solely as provided in this section.**

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

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

49 **5. (1) The department of economic development shall evaluate all applications**
50 **submitted by qualifying employers on a competitive basis using the following criteria:**

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

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

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

58 **(2) Applications shall be evaluated at the close of the application period, as**
59 **determined by the department, and shall not be awarded on a first-come, first-served**
60 **basis. The department may make preliminary awards for reimbursement only after the**
61 **application period has closed.**

62 **(3) Except as provided in subdivision (4) of this subsection, in making awards**
63 **under this section, the department shall reserve:**

64 **(a) Thirty-three and one-third percent of the moneys in the upskill credential**
65 **training fund to be awarded exclusively to qualifying employers with at least one but not**
66 **more than fifty employees; and**

67 **(b) Thirty-three and one-third percent of the moneys in the upskill credential**
68 **training fund to be awarded exclusively to qualifying employers with at least fifty-one**
69 **but not more than two hundred employees.**

70 **(4) Any moneys reserved under paragraph (a) or (b) of subdivision (3) of this**
71 **subsection that are not issued or awarded by March first of the fiscal year shall no**
72 **longer be reserved and may be issued to any qualifying employer eligible for an award**
73 **under this section.**

74 **(5) Applications shall be considered during application periods as determined by**
75 **the department.**

76 **6. (1) Upon being given a preliminary award for reimbursement under this**
77 **section, each qualifying employer shall sponsor a current or prospective employee to**
78 **obtain an upskill credential within twelve months of the preliminary award. A current**
79 **or prospective employee shall not commence the process of obtaining the upskill**
80 **credential until after a preliminary award has been made.**

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

83 **(3) To receive the reimbursement, the qualifying employer shall provide to the**
84 **department proof that the individual who completed the upskill credential is a Missouri**
85 **resident with a verifiable Missouri address. Such proof shall be submitted to the**
86 **department in the manner requested by the department within six weeks of completing**
87 **the upskill credential.**

88 **(4) If the department is satisfied that the current or prospective employee has**
89 **obtained the upskill credential based upon evidence provided under subdivision (2) of**
90 **this subsection and the provisions of subdivision (3) of this subsection have been**

91 satisfied, the department shall grant the qualifying employer the reimbursement
92 indicated in the preliminary award.

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

95 **8. The director of the department of economic development may promulgate all**
96 **necessary rules and regulations for the administration of this section. Any rule or**
97 **portion of a rule, as that term is defined in section 536.010, that is created under the**
98 **authority delegated in this section shall become effective only if it complies with and is**
99 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**
100 **section and chapter 536 are nonseverable and if any of the powers vested with the**
101 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
102 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
103 **rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be**
104 **invalid and void.**

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

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

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

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

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