

# HOUSE BILL NO. 1068

## 102ND GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE AMATO.

2098H.011

DANA RADEMAN MILLER, Chief Clerk

---

### AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to school safety construction projects.

---

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.670, to read as follows:

**160.670. 1. This section shall be known and may be cited as the "Sullivan School Safety Grant".**

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

**(1) "Department", the department of elementary and secondary education;**

**(2) "Eligible project", a construction project that:**

**(a) Does not exceed two hundred thousand dollars in actual total costs and expenditures directly associated with the construction project;**

**(b) Occurs at a school district's facility in which courses of instruction or other school-related activities are offered that require the daily or regular attendance of pupils; and**

**(c) Is undertaken to enhance school safety for pupils in one or more of the following methods:**

**a. New construction or additions to existing construction for school safety improvements and investments to prevent intruders;**

**b. Physical security upgrades and associated technology such as interior and exterior doors, electronic door locks, monitoring systems, or metal detectors; and**

**c. Other related school safety improvements.**

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           **3. (1) There is hereby created in the state treasury the "School Safety**  
19 **Construction Projects Matching Grant Fund", which shall consist of moneys**  
20 **appropriated under subsection 4 of this section. The state treasurer shall be**  
21 **custodian of the fund. In accordance with sections 30.170 and 30.180, the state**  
22 **treasurer may approve disbursements. The fund shall be a dedicated fund and, upon**  
23 **appropriation, moneys in this fund shall be used solely for making matching grants for**  
24 **eligible projects as provided in this section.**

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

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

31           **4. There is hereby created the "School Safety Construction Projects Matching**  
32 **Grant" program. The general assembly may appropriate amounts to the school safety**  
33 **construction projects matching grant fund created in subsection 3 of this section. The**  
34 **department shall not be required to provide moneys for matching grants under this**  
35 **section if no appropriation for such grants is made by the general assembly. The total**  
36 **amount appropriated to such fund in a fiscal year shall not exceed the amount necessary**  
37 **to provide matching grants to assist each school district in completing eligible projects**  
38 **under this section in such fiscal year.**

39           **5. (1) For the 2023-24 school year and each subsequent school year and subject**  
40 **to the appropriation of moneys to the school safety construction projects matching grant**  
41 **fund, each school district may apply to the department for a matching grant of moneys**  
42 **from the school safety construction projects matching grant fund to assist such district**  
43 **in completing an eligible project under this section.**

44           **(2) Applications for such eligible projects shall be made as provided by the**  
45 **department by rule. Each application submitted by a school district shall contain at**  
46 **least information about the eligible project's objectives and methods, the eligible**  
47 **project's estimated total cost and expenditures, an indication that the school district has**  
48 **allocated the necessary moneys to cover the remaining percentage of the eligible**  
49 **project's estimated total cost and expenditures not covered by an approved matching**  
50 **grant award calculated under subsection 6 of this section, and other information**  
51 **required by the department. Such school district shall allocate such moneys from funds**  
52 **distributed from the classroom trust fund to such school district under section 163.043.**

53           **(3) After reviewing the application, the department shall determine whether the**  
54 **project and application satisfy the necessary requirements of this section and any rules**

55 promulgated under this section. If the department determines that the project and  
56 application satisfy such necessary requirements, the department shall declare the  
57 project to be an eligible project under this section, approve the application, approve a  
58 matching grant award amount for the eligible project if moneys are available for a  
59 matching grant for such school district, and notify the school district of such  
60 determination and approvals.

61 (4) If the department determines that the project is not an eligible project or that  
62 the application does not satisfy the necessary requirements, the department shall reject  
63 the application, deny an approval of a matching grant award, and notify the school  
64 district. The notice shall contain at least a description of the reasons for such  
65 determination and rejection. A school district may reapply for a matching grant after  
66 such rejection upon submitting an amended application addressing the elements of the  
67 project or application resulting in the rejection of the initial application.

68 6. (1) Moneys approved for a matching grant award for a school district shall be  
69 calculated based on:

70 (a) The applicable percentage of the estimated total cost and expenditures of the  
71 eligible project in the school district's application, as described in subdivision (2) of this  
72 subsection; and

73 (b) Such school district's ranking in per-pupil expenditures in the previous  
74 school year compared to the per-pupil expenditures of all school districts in the state in  
75 the previous school year.

76 (2) The percentage of the estimated total cost and expenditures of an eligible  
77 project for which matching grant moneys may be approved for a school district shall be  
78 as follows:

79 (a) For school districts ranking in the lowest one-third of per-pupil expenditures,  
80 eighty percent;

81 (b) For school districts ranking in the middle one-third of per-pupil  
82 expenditures, sixty-five percent; and

83 (c) For school districts ranking in the highest one-third of per-pupil  
84 expenditures, fifty percent.

85 7. After an eligible project is completed, the school district shall submit the  
86 eligible project's actual total cost and expenditures to the department as an addendum  
87 to the school district's initial matching grant application. Upon receipt of such actual  
88 total cost and expenditures, the department shall calculate the amount of the matching  
89 grant moneys to be awarded to the school district using such eligible project's actual  
90 total costs and expenditures and the applicable percentage described in paragraphs (a)  
91 to (c) of subdivision (2) of subsection 6 of this section and award the matching grant

92 moneys to the school district. No matching grant moneys awarded to a school district  
93 shall exceed the school district's applicable percentage of the eligible project's actual  
94 total cost and expenditures.

95       **8. No more than one hundred matching grants per fiscal year shall be awarded**  
96 **under this section. School districts that have received a matching grant under this**  
97 **section may apply for and be awarded additional matching grants under this section.**  
98 **The department shall award matching grants to school districts that are first-time**  
99 **applicants before awarding matching grants to school districts that have already been**  
100 **awarded a matching grant under this section.**

101       **9. The department shall assign priority status to a school district that**  
102 **demonstrates the need for physical security enhancements in such school district's**  
103 **application and shall award matching grants to school districts demonstrating such**  
104 **need before awarding matching grants to other applicants.**

105       **10. The department of elementary and secondary education may promulgate all**  
106 **necessary rules and regulations for the administration of this section. Any rule or**  
107 **portion of a rule, as that term is defined in section 536.010, that is created under the**  
108 **authority delegated in this section shall become effective only if it complies with and is**  
109 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**  
110 **section and chapter 536 are nonseverable and if any of the powers vested with the**  
111 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**  
112 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**  
113 **rulemaking authority and any rule proposed or adopted after August 28, 2023, shall be**  
114 **invalid and void.**

115       **11. Under section 23.253 of the Missouri sunset act:**

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

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

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

✓