

SECOND REGULAR SESSION

HOUSE BILL NO. 2118

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE THOMAS.

3929H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 210 and 453, RSMo, by adding thereto two new sections relating to financial assistance for certain children.

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

Section A. Chapters 210 and 453, RSMo, are amended by adding thereto two new sections, to be known as sections 210.546 and 453.076, to read as follows:

210.546. 1. If a resource parent has any unused units of respite care that were allotted to the resource parent in a twelve-month period but the units were not used due to the child's special needs, as confirmed by the child's doctor or resource parent, the resource parent shall be reimbursed the monetary value of the unused units in that twelve-month period, provided that the resource parent submits a completed form developed by the department of elementary and secondary education requesting the reimbursement. The department of elementary and secondary education shall reimburse the resource parent the monetary value of the unused units within thirty days after receiving the request. Any moneys received by the resource parent under this section shall not be considered reportable income for tax purposes.

2. The department of elementary and secondary education may promulgate all necessary rules and regulations for the administration of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to

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 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
19 **rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be**
20 **invalid and void.**

21 **453.076. 1. If an adoptive parent has any unused child care maintenance or**
2 **subsidy days that were or should have been allotted to the adoptive parent in a twelve-**
3 **month period but the days were not used due to the child's special needs, as confirmed**
4 **by the child's doctor or adoptive parent, the adoptive parent shall be reimbursed the**
5 **monetary value of the unused allotted days in that twelve-month period, provided that**
6 **the adoptive parent submits a completed form developed by the department of**
7 **elementary and secondary education requesting the reimbursement. The department of**
8 **elementary and secondary education shall reimburse the adoptive parent the monetary**
9 **value of the unused allotment within thirty days after receiving the request. Any**
10 **moneys received by the adoptive parent under this section shall not be considered**
11 **reportable income for tax purposes.**

12 **2. The department of elementary and secondary education may promulgate all**
13 **necessary rules and regulations for the administration of this section. Any rule or**
14 **portion of a rule, as that term is defined in section 536.010, that is created under the**
15 **authority delegated in this section shall become effective only if it complies with and is**
16 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**
17 **section and chapter 536 are nonseverable and if any of the powers vested with the**
18 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**
19 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
20 **rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be**
21 **invalid and void.**

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