

SECOND REGULAR SESSION

# HOUSE BILL NO. 2793

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DINKINS.

5518H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 12.070, RSMo, and to enact in lieu thereof one new section relating to mining royalties.

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

Section A. Section 12.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 12.070, to read as follows:

12.070. 1. All sums of money received from the United States under an act of Congress, approved May 23, 1908, being an act providing for the payment to the states of twenty-five percent of all money received from the national forest reserves in the states for forest timber and other forest products to be expended as the legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which the forest reserve is situated (16 U.S.C.A. § 500) shall be expended as follows: seventy-five percent for the public schools and twenty-five percent for roads in the counties in which national forests are situated. The funds shall be used to aid in maintaining the schools and roads of those school districts that lie or are situated partly or wholly within or adjacent to the national forest in the county. The distribution to each county from the proceeds received on account of a national forest within its boundaries shall be in the proportion that the area of the national forest in the county bears to the total area of the forest in the state, as of June thirtieth of the fiscal year for which the money is received.

2. All sums of moneys received from the United States under 16 U.S.C. Section 500 and 16 U.S.C. Section 520 providing for the payment to the states of all moneys received from the national forest reserves in the states for mineral products to be expended as the legislature may prescribe for the benefit of the public schools and public roads of the county

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 or counties in which the forest reserve is situated shall be expended as follows: fifty percent  
19 for the public schools and fifty percent for roads in the counties in which the national forests  
20 are situated. The distribution to each county from the proceeds received on account of a  
21 national forest within its boundaries shall be as follows: eighty-five percent of all proceeds  
22 shall be split in proportional shares based on the amount of minerals extracted per year in  
23 each county where mining occurs and fifteen percent of all proceeds shall be split equally  
24 between counties ~~[where there is no mining]~~ **according to the proportion that the area of**  
25 **the national forest in the county bears to the total area of the forest in the state.**

26 **3. The office of administration may promulgate rules to implement the**  
27 **calculation under subsection 2 of this section. Any rule or portion of a rule, as that term**  
28 **is defined in section 536.010, that is created under the authority delegated in this section**  
29 **shall become effective only if it complies with and is subject to all of the provisions of**  
30 **chapter 536 and, if applicable, section 536.028. This section and chapter 536 are**  
31 **nonseverable and if any of the powers vested with the general assembly pursuant to**  
32 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are**  
33 **subsequently held unconstitutional, then the grant of rulemaking authority and any rule**  
34 **proposed or adopted after August 28, 2024, shall be invalid and void.**

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