

FIRST REGULAR SESSION

HOUSE BILL NO. 264

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLACK.

0398H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapters 105 and 168, RSMo, by adding thereto two new sections relating to public employee incentives.

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

Section A. Chapters 105 and 168, RSMo, are amended by adding thereto two new sections, to be known as sections 105.1750 and 168.093, to read as follows:

105.1750. 1. Except as provided under subsection 2 of this section, personnel payments made to a public employee by a public employer, as such terms are defined in section 105.055, to encourage retention or exceptional employment achievement, established by formally adopted policy or contract at least one year prior to the applicable employment achievement, shall not be considered a bonus in violation of Article III, Section 39 of the Constitution of Missouri. The retention or achievement payments include, but are not limited to, payments that do not exceed twenty percent of base wages or salary, to be awarded on completion of the retention period or exceptional performance in question and not more frequent than annually. Payments for exceptional employment achievement shall be made according to specific, written criteria predetermined and approved by the public employer in writing at least one year prior to the exceptional employment achievement.

2. The provisions of this section shall not apply to any public employee holding a position of employment for which the salary is set by statute.

168.093. 1. A contract between a school district and any individual school district employee may include a provision specifying that the school district may offer and award the school district employee payments for exceptional employment

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.

4 **achievement or to encourage retention of such school district employee under section**
5 **105.1750.**

6 **2. Each school district providing payments to encourage retention or for**
7 **exceptional employment achievement shall adopt a written policy describing specific**
8 **predetermined criteria approved by the school board at least one year prior to the**
9 **exceptional employment achievement.**

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