

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 121  
AN ACT

To repeal sections 135.600, 135.621, and 210.950, RSMo, and to enact in lieu thereof five new sections relating to vulnerable persons.

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

Section A. Sections 135.600, 135.621, and 210.950, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 135.315, 135.600, 135.621, 210.950, and 453.650, to read as follows:

135.315. 1. This section and section 453.650 shall be known and may be cited as the "Zero-Cost Adoption Fund Act".

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

(1) "Fund", the zero-cost adoption fund established under section 453.650;

(2) "Qualified taxpayer", any individual, firm, partner in a firm, corporation, shareholder in an S corporation, or other entity doing business in this state, subject to the state income tax imposed under chapter 143, excluding the withholding tax imposed under sections 143.191 to 143.265, who makes a qualifying contribution to the fund;

(3) "Qualifying contribution", a donation of cash, including, but not limited to, checks drawn on a banking institution located in the continental United States in U.S. dollars, other cashier checks, or third-party checks exceeding ten thousand dollars; money orders; payroll deductions; and electronic fund transfers, for the purpose of claiming a tax credit under this section. This term

19 shall not include stocks, bonds, other marketable  
20 securities, or property;

21 (4) "Tax credit", a credit against the tax otherwise  
22 due under chapter 143, excluding withholding tax imposed  
23 under sections 143.191 to 143.265, and chapter 153.

24 3. For all tax years beginning on or after January 1,  
25 2026, a qualified taxpayer shall be allowed to claim a tax  
26 credit against the qualified taxpayer's state tax liability  
27 in an amount equal to one hundred percent of the qualified  
28 taxpayer's qualifying contribution to the fund made during  
29 the tax year for which the credit is claimed.

30 4. The amount of the tax credit claimed shall not  
31 exceed fifty percent of the qualified taxpayer's state tax  
32 liability for the tax year for which the credit is claimed.  
33 The state treasurer shall certify the tax credit amount to  
34 the qualified taxpayer. A qualified taxpayer may carry the  
35 credit forward to any of such taxpayer's four subsequent tax  
36 years. All tax credits authorized under this section shall  
37 not be transferred, sold, assigned, or otherwise conveyed,  
38 and are not refundable.

39 5. (1) The cumulative amount of tax credits that may  
40 be allocated to all qualified taxpayers in the first year of  
41 the program shall not exceed five million dollars. Such  
42 amount shall be annually adjusted by the department for  
43 inflation based on the consumer Price Index for All Urban  
44 Consumers for the Midwest Region, as defined and officially  
45 recorded by the United States Department of Labor or its  
46 successor, and such annual increase shall cease when the  
47 cumulative amount of tax credits that may be allocated to  
48 all qualified taxpayers per calendar year reaches seventy-  
49 five million dollars.

50 (2) The department shall establish a procedure by  
51 which, from the beginning of the calendar year until August

52 first, the cumulative amount of tax credits that may be  
53 allocated under the program shall be allowed on a first-  
54 come, first-served basis among all qualified taxpayers.

55 (3) If a qualified taxpayer fails to use all, or some  
56 percentage to be determined by the department, of the  
57 taxpayer's allocated tax credits during this period, the  
58 department may reallocate these unused tax credits to those  
59 qualified taxpayers that have used all, or some percentage  
60 to be determined by the department, of the taxpayers'  
61 allocated tax credits during this period. The department  
62 may establish more than one period and reallocate more than  
63 once during each calendar year.

64 (4) The department shall establish the procedure  
65 described in this subsection in such a manner as to ensure  
66 that qualified taxpayers can claim all the tax credits  
67 possible up to the cumulative amount of tax credits  
68 available for the calendar year.

69 6. The state treasurer shall provide a standardized  
70 format for a receipt to be issued to a qualified taxpayer to  
71 indicate the value of a qualifying contribution received.  
72 The department of revenue shall require a qualified taxpayer  
73 to provide a copy of this receipt if claiming the tax credit  
74 authorized by this section.

75 7. The state treasurer and the department of revenue  
76 shall promulgate all necessary rules and regulations for the  
77 administration of this section including, but not limited  
78 to, rules relating to the verification of a taxpayer's  
79 qualifying contribution. Any rule or portion of a rule, as  
80 that term is defined in section 536.010, that is created  
81 under the authority delegated in this section shall become  
82 effective only if it complies with and is subject to all of  
83 the provisions of chapter 536 and, if applicable, section  
84 536.028. This section and chapter 536 are nonseverable and

85 if any of the powers vested with the general assembly  
86 pursuant to chapter 536 to review, to delay the effective  
87 date, or to disapprove and annul a rule are subsequently  
88 held unconstitutional, then the grant of rulemaking  
89 authority and any rule proposed or adopted after August 28,  
90 2025, shall be invalid and void.

91 8. Under section 23.253 of the Missouri sunset act:

92 (1) The provisions of the new program authorized under  
93 this section shall automatically sunset on December thirty-  
94 first, six years after the effective date of this section  
95 unless reauthorized by an act of the general assembly;

96 (2) If such program is reauthorized, the program  
97 authorized under this section shall automatically sunset on  
98 December thirty-first, twelve years after the effective date  
99 of the reauthorization of this section;

100 (3) This section shall terminate on September first of  
101 the calendar year immediately following the calendar year in  
102 which the program authorized under this section is sunset;

103 and

104 (4) Nothing in this subsection shall prevent a  
105 taxpayer from claiming a tax credit properly issued before  
106 this program was sunset in a tax year after the program is  
107 sunset.

135.600. 1. As used in this section, the following  
2 terms shall mean:

3 (1) "Contribution", a donation of cash, stock, bonds  
4 or other marketable securities, or real property;

5 (2) "Maternity home", a residential facility located  
6 in this state:

7 (a) Established for the purpose of providing housing  
8 and assistance to pregnant women who are carrying their  
9 pregnancies to term;

10 (b) That does not perform, induce, or refer for  
11 abortions and that does not hold itself out as performing,  
12 inducing, or referring for abortions;

13 (c) That provides services at no cost to clients; and

14 (d) That is exempt from income taxation under the  
15 United States Internal Revenue Code;

16 (3) "State tax liability", in the case of a business  
17 taxpayer, any liability incurred by such taxpayer pursuant  
18 to the provisions of chapter 143, chapter 147, chapter 148,  
19 and chapter 153, exclusive of the provisions relating to the  
20 withholding of tax as provided for in sections 143.191 to  
21 143.265, and related provisions, and in the case of an  
22 individual taxpayer, any liability incurred by such taxpayer  
23 pursuant to the provisions of chapter 143;

24 (4) "Taxpayer", a person, firm, a partner in a firm,  
25 corporation or a shareholder in an S corporation doing  
26 business in the state of Missouri and subject to the state  
27 income tax imposed by the provisions of chapter 143,  
28 including any [charitable] organization which is exempt from  
29 federal income tax and whose Missouri unrelated business  
30 taxable income, if any, would be subject to the state income  
31 tax imposed under chapter 143, or a corporation subject to  
32 the annual corporation franchise tax imposed by the  
33 provisions of chapter 147, or an insurance company paying an  
34 annual tax on its gross premium receipts in this state, or  
35 other financial institution paying taxes to the state of  
36 Missouri or any political subdivision of this state pursuant  
37 to the provisions of chapter 148, or an express company  
38 which pays an annual tax on its gross receipts in this state  
39 pursuant to chapter 153, or an individual subject to the  
40 state income tax imposed by the provisions of chapter 143.

41 2. A taxpayer shall be allowed to claim a tax credit  
42 against the taxpayer's state tax liability, in an amount

43 equal to fifty percent of the amount such taxpayer  
44 contributed to a maternity home for all fiscal years ending  
45 on or before June 30, 2022, and seventy percent of the  
46 amount such taxpayer contributed to a maternity home for all  
47 fiscal years beginning on or after July 1, 2022.

48 3. The amount of the tax credit claimed shall not  
49 exceed the amount of the taxpayer's state tax liability for  
50 the tax year that the credit is claimed, and such taxpayer  
51 shall not be allowed to claim a tax credit in excess of  
52 [fifty] one hundred thousand dollars per tax year. However,  
53 any tax credit that cannot be claimed in the tax year the  
54 contribution was made may be carried over only to the next  
55 succeeding tax year. No tax credit issued under this  
56 section shall be assigned, transferred, or sold.

57 4. Except for any excess credit which is carried over  
58 pursuant to subsection 3 of this section, a taxpayer shall  
59 not be allowed to claim a tax credit unless the total amount  
60 of such taxpayer's contribution or contributions to a  
61 maternity home or homes in such taxpayer's tax year has a  
62 value of at least one hundred dollars.

63 5. The director of the department of social services  
64 shall determine, at least annually, which facilities in this  
65 state may be classified as maternity homes. The director of  
66 the department of social services may require of a facility  
67 seeking to be classified as a maternity home whatever  
68 information is reasonably necessary to make such a  
69 determination. The director of the department of social  
70 services shall classify a facility as a maternity home if  
71 such facility meets the definition set forth in subsection 1  
72 of this section.

73 6. The director of the department of social services  
74 shall establish a procedure by which a taxpayer can  
75 determine if a facility has been classified as a maternity

76 home, and by which such taxpayer can then contribute to such  
77 maternity home and claim a tax credit. Maternity homes  
78 shall be permitted to decline a contribution from a  
79 taxpayer. The cumulative amount of tax credits which may be  
80 claimed by all the taxpayers contributing to maternity homes  
81 in any one fiscal year shall not exceed two million dollars  
82 for all fiscal years ending on or before June 30, 2014, and  
83 two million five hundred thousand dollars for all fiscal  
84 years beginning on or after July 1, 2014, and ending on or  
85 before June 30, 2019, and three million five hundred  
86 thousand dollars for all fiscal years beginning on or after  
87 July 1, 2019, and ending on or before June 30, 2022. For  
88 all fiscal years beginning on or after July 1, 2022, there  
89 shall be no limit imposed on the cumulative amount of tax  
90 credits that may be claimed by all taxpayers contributing to  
91 maternity homes under the provisions of this section. Tax  
92 credits shall be issued in the order contributions are  
93 received. If the amount of tax credits redeemed in a fiscal  
94 year is less than the cumulative amount authorized under  
95 this subsection, the difference shall be carried over to a  
96 subsequent fiscal year or years and shall be added to the  
97 cumulative amount of tax credits that may be authorized in  
98 that fiscal year or years.

99 7. For all fiscal years ending on or before June 30,  
100 2022, the director of the department of social services  
101 shall establish a procedure by which, from the beginning of  
102 the fiscal year until some point in time later in the fiscal  
103 year to be determined by the director of the department of  
104 social services, the cumulative amount of tax credits are  
105 equally apportioned among all facilities classified as  
106 maternity homes. If a maternity home fails to use all, or  
107 some percentage to be determined by the director of the  
108 department of social services, of its apportioned tax

109 credits during this predetermined period of time, the  
110 director of the department of social services may  
111 reapportion these unused tax credits to those maternity  
112 homes that have used all, or some percentage to be  
113 determined by the director of the department of social  
114 services, of their apportioned tax credits during this  
115 predetermined period of time. The director of the  
116 department of social services may establish more than one  
117 period of time and reapportion more than once during each  
118 fiscal year. To the maximum extent possible, the director  
119 of the department of social services shall establish the  
120 procedure described in this subsection in such a manner as  
121 to ensure that taxpayers can claim all the tax credits  
122 possible up to the cumulative amount of tax credits  
123 available for the fiscal year.

124 8. This section shall become effective January 1,  
125 2000, and shall apply to all tax years after December 31,  
126 1999.

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

3 (1) "Contribution", a donation of cash, stock, bonds,  
4 other marketable securities, or real property;

5 (2) "Department", the department of social services;

6 (3) "Diaper bank", a national diaper bank or a  
7 nonprofit entity located in this state established and  
8 operating primarily for the purpose of collecting or  
9 purchasing disposable diapers or other hygiene products for  
10 infants, children, or incontinent adults and that regularly  
11 distributes such diapers or other hygiene products through  
12 two or more schools, health care facilities, governmental  
13 agencies, or other nonprofit entities for eventual  
14 distribution to individuals free of charge;



15           (4) "National diaper bank", a nonprofit entity located  
16 in this state that meets the following criteria:

17           (a) Collects, purchases, warehouses, and manages a  
18 community inventory of disposable diapers or other hygiene  
19 products for infants, children, or incontinent adults;

20           (b) Regularly distributes a consistent and reliable  
21 supply of such diapers or other hygiene products through two  
22 or more schools, health care facilities, governmental  
23 agencies, or other nonprofit entities for eventual  
24 distribution to individuals free of charge, with the  
25 intention of reducing diaper need; and

26           (c) Is a member of a national network organization  
27 serving all fifty states through which certification  
28 demonstrates nonprofit best practices, data-driven program  
29 design, and equitable distribution focused on best serving  
30 infants, children, and incontinent adults;

31           (5) "Tax credit", a credit against the tax otherwise  
32 due under chapter 143, excluding withholding tax imposed  
33 under sections 143.191 to 143.265, or otherwise due under  
34 chapter 148 or 153;

35           [(5)] (6) "Taxpayer", a person, firm, partner in a  
36 firm, corporation, or shareholder in an S corporation doing  
37 business in the state of Missouri and subject to the state  
38 income tax imposed under chapter 143; an insurance company  
39 paying an annual tax on its gross premium receipts in this  
40 state; any other financial institution paying taxes to the  
41 state of Missouri or any political subdivision of this state  
42 under chapter 148; an express company that pays an annual  
43 tax on its gross receipts in this state under chapter 153;  
44 an individual subject to the state income tax under chapter  
45 143; or any charitable organization that is exempt from  
46 federal income tax and whose Missouri unrelated business

47 taxable income, if any, would be subject to the state income  
48 tax imposed under chapter 143.

49 2. For all fiscal years beginning on or after July 1,  
50 2019, a taxpayer shall be allowed to claim a tax credit  
51 against the taxpayer's state tax liability in an amount  
52 equal to fifty percent of the amount of such taxpayer's  
53 contributions to a diaper bank.

54 3. The amount of the tax credit claimed shall not  
55 exceed the amount of the taxpayer's state tax liability for  
56 the tax year for which the credit is claimed, and such  
57 taxpayer shall not be allowed to claim a tax credit in  
58 excess of fifty thousand dollars per tax year. However, any  
59 tax credit that cannot be claimed in the tax year the  
60 contribution was made may be carried over only to the next  
61 subsequent tax year. No tax credit issued under this  
62 section shall be assigned, transferred, or sold.

63 4. Except for any excess credit that is carried over  
64 under subsection 3 of this section, no taxpayer shall be  
65 allowed to claim a tax credit unless the taxpayer  
66 contributes at least one hundred dollars to one or more  
67 diaper banks during the tax year for which the credit is  
68 claimed.

69 5. The department shall determine, at least annually,  
70 which entities in this state qualify as diaper banks. The  
71 department may require of an entity seeking to be classified  
72 as a diaper bank any information which is reasonably  
73 necessary to make such a determination. The department  
74 shall classify an entity as a diaper bank if such entity  
75 satisfies the definition under subsection 1 of this section.

76 6. The department shall establish a procedure by which  
77 a taxpayer can determine if an entity has been classified as  
78 a diaper bank.

79           7. Diaper banks may decline a contribution from a  
80 taxpayer.

81           8. The cumulative amount of tax credits that may be  
82 claimed by all the taxpayers contributing to diaper banks in  
83 any one fiscal year shall not exceed five hundred thousand  
84 dollars. Tax credits shall be issued in the order  
85 contributions are received. If the amount of tax credits  
86 redeemed in a tax year is less than five hundred thousand  
87 dollars, the difference shall be added to the cumulative  
88 limit created under this subsection for the next fiscal year  
89 and carried over to subsequent fiscal years until claimed.

90           9. The department shall establish a procedure by  
91 which, from the beginning of the fiscal year until some  
92 point in time later in the fiscal year to be determined by  
93 the department, the cumulative amount of tax credits are  
94 equally apportioned among all entities classified as diaper  
95 banks. If a diaper bank fails to use all, or some  
96 percentage to be determined by the department, of its  
97 apportioned tax credits during this predetermined period of  
98 time, the department may reapportion such unused tax credits  
99 to diaper banks that have used all, or some percentage to be  
100 determined by the department, of their apportioned tax  
101 credits during this predetermined period of time. The  
102 department may establish multiple periods each fiscal year  
103 and reapportion accordingly. To the maximum extent  
104 possible, the department shall establish the procedure  
105 described under this subsection in such a manner as to  
106 ensure that taxpayers can claim as many of the tax credits  
107 as possible, up to the cumulative limit created under  
108 subsection 8 of this section.

109           10. Each diaper bank shall provide information to the  
110 department concerning the identity of each taxpayer making a  
111 contribution and the amount of the contribution. The

112 department shall provide the information to the department  
113 of revenue. The department shall be subject to the  
114 confidentiality and penalty provisions of section 32.057  
115 relating to the disclosure of tax information.

116 11. Under section 23.253 of the Missouri sunset act:

117 (1) The provisions of the program authorized under  
118 this section shall automatically sunset on December thirty-  
119 first six years after August 28, ~~[2018]~~ 2025, unless  
120 reauthorized by an act of the general assembly;

121 (2) If such program is reauthorized, the program  
122 authorized under this section shall automatically sunset on  
123 December thirty-first six years after the effective date of  
124 the reauthorization of this section;

125 (3) This section shall terminate on September first of  
126 the calendar year immediately following the calendar year in  
127 which the program authorized under this section is sunset;  
128 and

129 (4) The provisions of this subsection shall not be  
130 construed to limit or in any way impair the department's  
131 ability to issue tax credits authorized on or before the  
132 date the program authorized under this section expires or a  
133 taxpayer's ability to redeem such tax credits.

210.950. 1. This section shall be known and may be  
2 cited as the "Safe Place for Newborns Act of 2002". The  
3 purpose of this section is to protect newborn children from  
4 injury and death caused by abandonment by a parent, and to  
5 provide safe and secure alternatives to such abandonment.

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

7 (1) "Hospital", as defined in section 197.020;

8 (2) "Maternity home", the same meaning as such term is  
9 defined in section 135.600;

10 (3) "Newborn safety incubator", a medical device used  
11 to maintain an optimal environment for the care of a newborn  
12 infant;

13 (4) "Nonrelinquishing parent", the biological parent  
14 who does not leave a newborn infant in a newborn safety  
15 incubator or with any person listed in subsection 3 of this  
16 section in accordance with this section;

17 (5) "Pregnancy resource center", the same meaning as  
18 such term is defined in section 135.630;

19 (6) "Relinquishing parent", the biological parent or  
20 person acting on such parent's behalf who leaves a newborn  
21 infant in a newborn safety incubator or with any person  
22 listed in subsection 3 of this section in accordance with  
23 this section.

24 3. A parent shall not be prosecuted for a violation of  
25 section 568.030, 568.032, 568.045 or 568.050 for actions  
26 related to the voluntary relinquishment of a child up to  
27 ~~forty-five~~ ninety days old pursuant to this section if:

28 (1) Expressing intent not to return for the child, the  
29 parent voluntarily delivered the child safely to a newborn  
30 safety incubator or to the physical custody of any of the  
31 following persons:

32 (a) An employee, agent, or member of the staff of any  
33 hospital, maternity home, or pregnancy resource center in a  
34 health care provider position or on duty in a nonmedical  
35 paid or volunteer position;

36 (b) A firefighter or emergency medical technician on  
37 duty in a paid position or on duty in a volunteer position;  
38 or

39 (c) A law enforcement officer;

40 (2) The child was no more than ~~forty-five~~ ninety  
41 days old when delivered by the parent to the newborn safety

42 incubator or to any person listed in subdivision (1) of this  
43 subsection; and

44 (3) The child has not been abused or neglected by the  
45 parent prior to such voluntary delivery.

46 4. A parent voluntarily relinquishing a child under  
47 this section shall not be required to provide any  
48 identifying information about the child or the parent. No  
49 person shall induce or coerce, or attempt to induce or  
50 coerce, a parent into revealing his or her identity. No  
51 officer, employee, or agent of this state or any political  
52 subdivision of this state shall attempt to locate or  
53 determine the identity of such parent. In addition, any  
54 person who obtains information on the relinquishing parent  
55 shall not disclose such information except to the following:

56 (1) A birth parent who has waived anonymity or the  
57 child's adoptive parent;

58 (2) The staff of the department of health and senior  
59 services, the department of social services, or any county  
60 health or social services agency or licensed child welfare  
61 agency that provides services to the child;

62 (3) A person performing juvenile court intake or  
63 dispositional services;

64 (4) The attending physician;

65 (5) The child's foster parent or any other person who  
66 has physical custody of the child;

67 (6) A juvenile court or other court of competent  
68 jurisdiction conducting proceedings relating to the child;

69 (7) The attorney representing the interests of the  
70 public in proceedings relating to the child; and

71 (8) The attorney representing the interests of the  
72 child.

73 5. A person listed in subdivision (1) of subsection 3  
74 of this section shall, without a court order, take physical

75 custody of a child the person reasonably believes to be no  
76 more than [forty-five] ninety days old and is delivered in  
77 accordance with this section by a person purporting to be  
78 the child's parent or is delivered in accordance with this  
79 section to a newborn safety incubator. If delivery of a  
80 newborn is made pursuant to this section in any place other  
81 than a hospital, the person taking physical custody of the  
82 child shall arrange for the immediate transportation of the  
83 child to the nearest hospital licensed pursuant to chapter  
84 197.

85         6. The hospital, its employees, agents and medical  
86 staff shall perform treatment in accordance with the  
87 prevailing standard of care as necessary to protect the  
88 physical health or safety of the child. The hospital shall  
89 notify the children's division and the local juvenile  
90 officer upon receipt of a child pursuant to this section.  
91 The local juvenile officer shall immediately begin  
92 protective custody proceedings and request the child be made  
93 a ward of the court during the child's stay in the medical  
94 facility. Upon discharge of the child from the medical  
95 facility and pursuant to a protective custody order ordering  
96 custody of the child to the division, the children's  
97 division shall take physical custody of the child. The  
98 parent's voluntary delivery of the child in accordance with  
99 this section shall constitute the parent's implied consent  
100 to any such act and a voluntary relinquishment of such  
101 parent's parental rights.

102         7. In any termination of parental rights proceeding  
103 initiated after the relinquishment of a child pursuant to  
104 this section, the juvenile officer shall make public notice  
105 that a child has been relinquished, including the sex of the  
106 child, and the date and location of such relinquishment.  
107 Within thirty days of such public notice, the parent wishing

108 to establish parental rights shall identify himself or  
109 herself to the court and state his or her intentions  
110 regarding the child. The court shall initiate proceedings  
111 to establish paternity, or if no person identifies himself  
112 as the father within thirty days, maternity. The juvenile  
113 officer shall make examination of the putative father  
114 registry established in section 192.016 to determine whether  
115 attempts have previously been made to preserve parental  
116 rights to the child. If such attempts have been made, the  
117 juvenile officer shall make reasonable efforts to provide  
118 notice of the abandonment of the child to such putative  
119 father.

120 8. (1) If a relinquishing parent of a child  
121 relinquishes custody of the child to a newborn safety  
122 incubator or to any person listed in subsection 3 of this  
123 section in accordance with this section and to preserve the  
124 parental rights of the nonrelinquishing parent, the  
125 nonrelinquishing parent shall take such steps necessary to  
126 establish parentage within thirty days after the public  
127 notice or specific notice provided in subsection 7 of this  
128 section.

129 (2) If either parent fails to take steps to establish  
130 parentage within the thirty-day period specified in  
131 subdivision (1) of this subsection, either parent may have  
132 all of his or her rights terminated with respect to the  
133 child.

134 (3) When either parent inquires at a hospital  
135 regarding a child whose custody was relinquished pursuant to  
136 this section, such facility shall refer such parent to the  
137 children's division and the juvenile court exercising  
138 jurisdiction over the child.

139 9. The persons listed in subdivision (1) of subsection  
140 3 of this section shall be immune from civil, criminal, and



141 administrative liability for accepting physical custody of a  
142 child pursuant to this section if such persons accept  
143 custody in good faith. Such immunity shall not extend to  
144 any acts or omissions, including negligent or intentional  
145 acts or omissions, occurring after the acceptance of such  
146 child.

147 10. The children's division shall:

148 (1) Provide information and answer questions about the  
149 process established by this section on the statewide, toll-  
150 free telephone number maintained pursuant to section 210.145;

151 (2) Provide information to the public by way of  
152 pamphlets, brochures, or by other ways to deliver  
153 information about the process established by this section.

154 11. It shall be an affirmative defense to prosecution  
155 for a violation of sections 568.030, 568.032, 568.045, and  
156 568.050 that a parent who is a defendant voluntarily  
157 relinquished a child no more than one year old under this  
158 section.

159 12. Nothing in this section shall be construed as  
160 conflicting with section 210.125.

161 13. (1) There is hereby created in the state treasury  
162 the "Safe Place for Newborns Fund", which shall consist of  
163 moneys appropriated by the general assembly from general  
164 revenue and any gifts, bequests, or donations. The state  
165 treasurer shall be custodian of the fund. In accordance  
166 with sections 30.170 and 30.180, the state treasurer may  
167 approve disbursements. The fund shall be a dedicated fund  
168 and, upon appropriation, moneys in this fund shall be used  
169 solely for the installation of newborn safety incubators.

170 (2) Notwithstanding the provisions of section 33.080  
171 to the contrary, any moneys remaining in the fund at the end  
172 of the biennium shall not revert to the credit of the  
173 general revenue fund.

174           (3) The state treasurer shall invest moneys in the  
175 fund in the same manner as other funds are invested. Any  
176 interest and moneys earned on such investments shall be  
177 credited to the fund.

178           14. The state of Missouri shall provide matching  
179 moneys from the general revenue fund for the installation of  
180 newborn safety incubators. The total amount available to  
181 the fund from state sources under such a match program shall  
182 be up to ten thousand dollars for each newborn safety  
183 incubator installed.

184           15. The director of the department of health and  
185 senior services may promulgate all necessary rules and  
186 regulations for the administration of this section,  
187 including rules governing the specifications, installation,  
188 maintenance, and oversight of newborn safety incubators.  
189 Any rule or portion of a rule, as that term is defined in  
190 section 536.010, that is created under the authority  
191 delegated in this section shall become effective only if it  
192 complies with and is subject to all of the provisions of  
193 chapter 536 and, if applicable, section 536.028. This  
194 section and chapter 536 are nonseverable and if any of the  
195 powers vested with the general assembly pursuant to chapter  
196 536 to review, to delay the effective date, or to disapprove  
197 and annul a rule are subsequently held unconstitutional,  
198 then the grant of rulemaking authority and any rule proposed  
199 or adopted after August 28, 2021, shall be invalid and void.

453.650. 1. There is hereby created in the state  
2 treasury the "Zero-Cost Adoption Fund", which shall consist  
3 of moneys appropriated by the general assembly and any  
4 gifts, bequests, and donations. The state treasurer shall  
5 be custodian of the fund. In accordance with sections  
6 30.170 and 30.180, the state treasurer may approve  
7 disbursements. The fund shall be a dedicated fund and, upon

8 appropriation, moneys in this fund shall be used solely as  
9 provided in subsection 4 of this section. The fund shall be  
10 administered by the department of social services.

11 2. Notwithstanding the provisions of section 33.080 to  
12 the contrary, any moneys remaining in the fund at the end of  
13 the biennium shall not revert to the credit of the general  
14 revenue fund.

15 3. The state treasurer shall invest moneys in the fund  
16 in the same manner as other funds are invested. Any  
17 interest and moneys earned on such investments shall be  
18 credited to the fund.

19 4. Moneys in the fund shall be used, in order of  
20 descending priority, to:

21 (1) Assist a resident of this state in paying for  
22 nonrecurring adoption expenses, as defined in section  
23 135.326, for each child adopted;

24 (2) Provide post-adoption assistance, including  
25 reimbursement of adoption costs paid in advance, counseling  
26 services, and other care that may be required;

27 (3) Promote adoption and recruit potential adoptive  
28 families; and

29 (4) Support community-based intervention methods to  
30 prevent children from entering into foster care.

31 5. In accordance with subsection 4 of this section,  
32 moneys in the fund may be used for either public or private  
33 adoptions; however, priority shall be given to adoptions  
34 with children in foster care.

35 6. The department of social services may promulgate  
36 all necessary rules and regulations for the administration  
37 of this section. Any rule or portion of a rule, as that  
38 term is defined in section 536.010, that is created under  
39 the authority delegated in this section shall become  
40 effective only if it complies with and is subject to all of

41 the provisions of chapter 536 and, if applicable, section  
42 536.028. This section and chapter 536 are nonseverable and  
43 if any of the powers vested with the general assembly  
44 pursuant to chapter 536 to review, to delay the effective  
45 date, or to disapprove and annul a rule are subsequently  
46 held unconstitutional, then the grant of rulemaking  
47 authority and any rule proposed or adopted after August 28,  
48 2025, shall be invalid and void.