

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 748**  
**103RD GENERAL ASSEMBLY**

1713H.02C

JOSEPH ENGLER, Chief Clerk

---

**AN ACT**

To amend chapter 386, RSMo, by adding thereto one new section relating to expenses of the office of public counsel.

---

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

Section A. Chapter 386, RSMo, is amended by adding thereto one new section, to be known as section 386.720, to read as follows:

**386.720. 1. The public counsel shall, prior to the beginning of each fiscal year beginning with the fiscal year commencing on July 1, 2026, make an estimate of the expenses to be incurred by his or her office during such fiscal year reasonably attributable to the performance of his or her powers, duties, and functions pursuant to sections 386.700 and 386.710, and shall also separately estimate the amount of such expenses directly attributable to such duties for each of the following groups of public utilities: electrical corporations, gas corporations, water corporations, heating companies, sewer corporations, and any other public utility as defined in section 386.020, as well as the amount of such expenses not directly attributable to any such group. For purposes of this section, water corporations and sewer corporations will be combined and considered one group of public utilities. Telephone and telegraph corporations shall be exempt from this section.**

**2. The public counsel shall allocate to each such group of public utilities the estimated expenses directly attributable to the regulation of such group and an amount equal to such proportion of the estimated expenses not directly attributable to any group as the gross intrastate operating revenues of such group during the preceding calendar year bears to the total gross intrastate operating revenues of all public utilities subject to the jurisdiction of the commission during such calendar year. The public**

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.

19 **counsel shall then assess the amount so allocated to each group of public utilities, subject**  
20 **to reduction as herein provided, in proportion to their respective gross intrastate**  
21 **operating revenues during the preceding calendar year, except that the total amount so**  
22 **assessed to all such public utilities shall not exceed fifty-seven thousandths of one**  
23 **percent of the total gross intrastate operating revenues of all utilities subject to the**  
24 **jurisdiction of the commission.**

25 **3. The public counsel shall render a statement of such assessment to each such**  
26 **public utility on or before July first of each year and the amount so assessed to each**  
27 **such public utility shall be paid by it to the director of revenue in full on or before July**  
28 **fifteenth next following the rendition of such statement, except that any such public**  
29 **utility may at its election pay such assessment in four equal installments not later than**  
30 **the following dates next following the rendition of such statement, to wit: July fifteenth,**  
31 **October fifteenth, January fifteenth, and April fifteenth. The director of revenue shall**  
32 **remit such payments to the state treasurer.**

33 **4. The state treasurer shall credit such payments to a special fund, which is**  
34 **hereby created, to be known as the "Office of the Public Counsel Fund", which fund, or**  
35 **its successor fund created pursuant to section 33.571, shall be devoted solely to the**  
36 **payment of expenditures actually incurred by the public counsel and attributable to the**  
37 **regulation of such public utilities subject to the jurisdiction of the commission. Any**  
38 **amount remaining in such special fund or its successor fund at the end of any fiscal year**  
39 **shall not revert to the general revenue fund, but shall be applicable by appropriation of**  
40 **the general assembly to the payment of such expenditures of the public counsel in the**  
41 **succeeding fiscal year and shall be applied by the public counsel to the reduction of the**  
42 **amount to be assessed to such public utilities in such succeeding fiscal year, such**  
43 **reduction to be allocated to each group of public utilities in proportion to the respective**  
44 **gross intrastate operating revenues of the respective groups during the preceding**  
45 **calendar year.**

✓