

SECOND REGULAR SESSION

HOUSE BILL NO. 2510

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STEINMEYER.

4993H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 256, RSMo, by adding thereto six new sections relating to critical minerals development.

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

Section A. Chapter 256, RSMo, is amended by adding thereto six new sections, to be known as sections 256.900, 256.902, 256.904, 256.906, 256.908, and 256.910, to read as follows:

256.900. 1. Sections 256.900 to 256.910 shall be known as and may be cited as the "Missouri Critical Minerals Development and Security Act". The provisions of sections 256.900 to 256.910 apply across this state and are not limited to the state's mining regions.

2. As used in sections 256.900 to 256.910, the following terms mean:

(1) "Advanced manufacturing", the use of innovative technologies, processes, and management methods to improve the creation of new products and enhance production activities that depend on information, automation, computation, software, and networking;

(2) "Critical material", any non fuel mineral, element, substance, or material that the Secretary of Energy determines:

(a) Has a high risk of a supply-chain disruption, and serves an essential function in one or more energy technologies, including technologies that produce, transmit, store, and conserve energy; or

(b) Meets the classification for a critical mineral;

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.

16 (3) "Critical mineral", any mineral, element, substance, or material designated
17 as critical by the Secretary of the Interior under 30 U.S.C. Section 1606(a). "Critical
18 mineral" does not include:

19 (a) Fuel minerals;

20 (b) Water, ice, or snow; or

21 (c) Common varieties of sand, gravel, stone, pumice, cinders, and clay;

22 (4) "Department", the department of natural resources;

23 (5) "Eligible entity", as described in subsection 4 of section 256.906;

24 (6) "Final methodology and list", a list published by the Secretary of the Interior
25 in the Federal Register that contains:

26 (a) A description of the final methodology for determining which minerals,
27 elements, substances, and materials qualify as critical minerals;

28 (b) The final list of critical minerals that the Secretary of the Interior determines
29 are essential to the economic or national security of the United States;

30 (c) The final list of critical minerals recovered as byproducts and their host
31 minerals;

32 (d) The minerals, elements, substances, and materials designated by the
33 Secretary of the Interior as critical in the supply chain the supplies of which are
34 vulnerable to disruption including, but not limited to, restrictions associated with
35 foreign political risk, abrupt demand growth, military conflict, violent unrest, anti-
36 competitive or protectionist behaviors, and other risks throughout the supply chain; and

37 (e) The minerals that serve an essential function in the manufacturing of a
38 product including, but not limited to, energy technology, defense, currency, agriculture,
39 consumer electronics, and health-care-related applications, the absence of which would
40 have significant consequences for the economic or national security of the United States;

41 (7) "Processing", the techniques and operations used to transform raw materials
42 into finished products or components using innovative technologies to enhance
43 precision, efficiency, and performance;

44 (8) "Program", the Missouri critical minerals development and security
45 program created under section 256.906;

46 (9) "Task force", the Missouri critical minerals task force created under section
47 256.904.

256.902. 1. The Missouri geological survey, a division of the department of
2 natural resources, is authorized to lead the statewide critical minerals mapping,
3 geological analysis, regulatory guidance, and coordination of the provisions of sections
4 256.900 to 256.910. The Missouri division of geological survey shall cooperate with

5 federal agencies and necessary state agencies to fulfill the requirements of sections
6 256.900 to 256.910.

7 2. The department of economic development is authorized to administer the
8 program and to solicit industry engagement and economic-development components.

9 3. The department of higher education and workforce development is authorized
10 to provide the workforce support, university and community college partnerships,
11 applied research and workforce pipeline development, and collaboration with the
12 United States Geological Survey and its national laboratory facilities.

 256.904. 1. There is hereby established within the department of natural
2 resources the "Missouri Critical Minerals Task Force" to study and develop a statewide
3 strategy relating to critical materials and minerals and to identify this state's mineral
4 capacity. Task force members shall be chosen for their geological or mining and
5 engineering expertise, and knowledge in the defense, aerospace, energy, and
6 technological sectors. Task force members shall possess the ability to preserve
7 efficiency, make decisions in a timely manner, and stay focused on the subject matter.
8 Task force members shall be appointed for a term of two years and may be reappointed.
9 The following task force members are regarded as essential and shall be appointed as
10 follows:

11 (1) The director of the department of natural resources or his or her designee;

12 (2) The commissioner of the department of elementary and secondary education
13 or the commissioner's designee;

14 (3) The director of the department of economic development or his or her
15 designee;

16 (4) One member of the house of representatives appointed by the speaker of the
17 house of representatives; and

18 (5) One member of the senate appointed by the president pro tempore of the
19 senate.

20 2. The following task force members shall be appointed for their expertise and
21 knowledge of the subjects listed in subsection 1 of this section:

22 (1) One member from a Missouri-based mining or mineral processing operation;

23 (2) One member from the Missouri University of Science and Technology or the
24 Department of Geological Sciences at the University of Missouri with geological or
25 mining engineering expertise; and

26 (3) One member from the Missouri advanced manufacturing sectors including,
27 but not limited to, defense, aerospace, or energy.

28 3. The members of the task force established under this section shall elect a chair
29 from the membership of the task force. The task force shall meet as needed to complete

30 its consideration of the objectives established in subsection 5 of this section. Any
31 vacancy on the task force shall be filled in the same manner as the original appointment.
32 Members of the task force shall serve without compensation, but shall be entitled to
33 reimbursement for actual and necessary expenses incurred in the performance of
34 official duties.

35 4. The department shall provide such legal, research, clerical, and technical
36 services as the task force may require in the performance of official duties.

37 5. The task force shall:

38 (1) Develop a statewide strategy for critical minerals mapping, geological
39 analysis, regulatory guidance, and coordination with suppliers, defense agencies, and
40 companies to make the supply chain more reliable;

41 (2) Identify this state's capacity to mine, refine, and use critical minerals to
42 catalyze a broader defense and energy economic ecosystem that will strengthen the
43 state's economy and yield jobs over the next several decades;

44 (3) Coordinate with and not duplicate the efforts of other federal agencies such
45 as the United States Geological Survey within the Department of the Interior, the
46 Department of Energy, and the Department of Defense; and

47 (4) Beginning on December 1, 2027, and each year thereafter, submit an annual
48 report to the general assembly on or before December first.

256.906. 1. There is hereby established the "Missouri Critical Minerals
2 Development and Security Program" in the department of economic development.
3 Technical support for the program shall be provided by the department of natural
4 resources and research and education support shall be provided by the department of
5 higher education and workforce development.

6 2. Subject to appropriation, the department of economic development shall
7 implement the program as indicated in this section. The grants authorized under this
8 section shall extend to all funding sources and shall emphasize modernization,
9 exploration, and pilot-scale innovation techniques. The director of the department of
10 economic development shall evaluate each application and administer grant awards
11 including, but not limited to, the tracking and monitoring of grantee administration of
12 the grant funds and whether grantees achieve the goals set forth in their grant
13 applications.

14 3. The department of economic development shall ensure that the uses of the
15 grant shall include, but not be limited to, the following activities:

16 (1) Geological mapping, sampling, and exploration;

17 (2) Feasibility studies, pilot-scale processing, and modernization;

18 (3) Workforce and educational partnership development;

19 (4) Advanced mining technology and reclamation improvements; and

20 (5) Federal match leverage for Missouri projects.

21 4. The department of economic development shall post on its website eligibility
22 criteria, criteria for determining the amount and duration of grants, the contents of the
23 grant application, and the procedures and timelines by which an applicant may apply
24 for grants. The department of economic development shall consult with the department
25 of natural resources and the department of higher education and workforce
26 development in determining the eligibility criteria, application contents, procedures,
27 and timelines. The department of economic development shall award grants, in
28 amounts determined by the department of economic development, to the following
29 eligible applicants or entities:

30 (1) Mining operators;

31 (2) Mineral processors;

32 (3) Advanced manufacturers providing advanced manufacturing;

33 (4) Universities and research partnerships;

34 (5) Local governments with critical material and critical mineral proposals; and

35 (6) Public-private research and innovation collaborations.

36 5. (1) There is hereby created in the state treasury the "Missouri Critical
37 Minerals Development and Security Program Fund", which shall consist of an annual
38 appropriation by the general assembly, any additional appropriations made by the
39 general assembly, and any gifts, contributions, grants, or bequests received from
40 federal, private, or other sources. The state treasurer shall be custodian of the fund. In
41 accordance with sections 30.170 and 30.180, the state treasurer may approve
42 disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys
43 in this fund shall be used solely for the administration of this section.

44 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys
45 remaining in the fund at the end of the biennium shall not revert to the credit of the
46 general revenue fund.

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

 256.908. 1. The department of economic development is hereby authorized to
2 use targeted, performance-based incentives that are tied directly to critical materials
3 and critical minerals development and are not open-ended incentives. The incentives
4 shall apply to the following:

5 (1) Construction or expansion of critical mineral processing facilities;

6 (2) Deployment of advanced manufacturing tied to critical minerals;

7 (3) Technology upgrades, reclamation innovation, and environmental
8 compliance modernization; and

9 (4) Workforce training tied to Missouri institutions.

256.910. 1. The department of natural resources, in conjunction with the
2 department of economic development and the department of higher education and
3 workforce development, may promulgate all necessary rules and regulations for the
4 administration of sections 256.900 to 256.910. Any rule or portion of a rule, as that term
5 is defined in section 536.010, that is created under the authority delegated in this section
6 shall become effective only if it complies with and is subject to all of the provisions of
7 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
8 nonseverable and if any of the powers vested with the general assembly pursuant to
9 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
10 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
11 proposed or adopted after August 28, 2026, shall be invalid and void.

12 2. Under section 23.253 of the Missouri sunset act:

13 (1) The provisions of the new program authorized under sections 256.900 to
14 256.910 shall sunset five years after the effective date of sections 256.900 to 256.910
15 unless reauthorized by an act of the general assembly; and

16 (2) Sections 256.900 to 256.910 shall terminate on September first of the
17 calendar year immediately following the calendar year in which the program authorized
18 under sections 256.900 to 256.910 is sunset.

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