

SECOND REGULAR SESSION

# HOUSE BILL NO. 2803

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE YOUNG.

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JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 209.030, RSMo, and to enact in lieu thereof one new section relating to blind persons.

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

Section A. Section 209.030, RSMo, is repealed and one new section enacted in lieu 2 thereof, to be known as section 209.030, to read as follows:

209.030. 1. Every adult blind person, eighteen years of age or over, of good moral 2 character who shall have been a resident of the state of Missouri for one year or more next 3 preceding the time of making application for the pension herein provided and every adult 4 blind person eighteen years of age or over who may have lost his or her sight while a bona 5 fide resident of this state and who has been a continuous resident thereof since such loss of 6 sight, shall be entitled to receive, when enrolled under the provisions of sections 209.010 to 7 209.160, an annual pension as provided for herein, payable in equal monthly installments, 8 provided, that no such person shall be entitled to or be paid a blind pension who:

9 (1) Owns property or has an interest in property to the value of thirty thousand dollars 10 or more, or if married and actually living with husband or wife, if the value of his or her 11 interest in property, together with that of such husband or wife, exceeds said amount; 12 provided that, the first one hundred thousand dollars in an individual's ABLE account under 13 sections 209.600 to 209.645 shall be excluded from such asset limit; provided, further, that in 14 determining the total value of property owned, the real estate occupied by the blind person or 15 spouse as the home, shall be excluded;

16 (2) Obtains, maintains, or renews a valid driver's license in this or any other state or 17 territory, unless such license has been relinquished to the department of revenue and the

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 person provides satisfactory proof of such relinquishment to the department of social services.  
19 The department of social services shall notify eligible blind persons with valid driver's  
20 licenses that they shall surrender such licenses within sixty days of approval for a blind  
21 pension. Upon receipt of a relinquished license under this subdivision, the department of  
22 revenue shall, if requested by the person, issue a nondriver's license card compliant with the  
23 provisions of chapter 302 at no charge to the person. The department of social services and  
24 the department of revenue shall jointly establish procedures and shall share any information  
25 necessary to implement this subdivision;

26 (3) Operates a motor vehicle with or without a valid driver's license;

27 (4) Has a sighted spouse resident in this state who upon the investigation of the  
28 family support division may be found to be able to provide for the reasonable support of such  
29 applicant if the sighted spouse's annual income is equal to or greater than five hundred percent  
30 of the federal poverty level for each state fiscal year;

31 (5) Publicly solicits alms in any manner or through any artifice in any part of this  
32 state;

33 (6) Is maintained in a private or endowed institution or is an inmate of a public  
34 institution, except as a patient in a public medical institution[;], provided[;], that benefits shall  
35 not be paid to a blind person under sixty-five years of age[;], who is a patient in an institution  
36 for mental diseases or tuberculosis. In order to comply with federal laws and regulations and  
37 state plans in making payments to or on behalf of mentally ill individuals sixty-five years of  
38 age, or over, who are patients in a state mental institution, the family support division shall  
39 require agreements or other arrangements with the institution to provide a framework for  
40 cooperation and to assure that state plan requirements and federal laws and regulations  
41 relating to such payment will be observed. In the event the federal laws or regulations will  
42 not permit approval of the state plan for benefit payments to or on behalf of an individual who  
43 is sixty-five years of age, or over, and is a patient in a state institution for mental diseases, this  
44 portion of this subdivision shall be inoperative until approval of a state plan is obtained;

45 (7) Is otherwise not blind and not eligible for a blind pension under this chapter; or

46 (8) Pleads guilty or has been found to have violated section 209.140.

47 2. Any applicant for or any recipient of a blind pension who does not submit, without  
48 good cause or as otherwise specified by the department of social services, to a vision test as  
49 required under section 209.040 within thirty days of a request by the department shall not be  
50 eligible for a blind pension and the department shall terminate payment after notice and an  
51 opportunity for a hearing.

52 3. The applicant for or recipient of a blind pension shall inform the department of any  
53 change of address or other contact information and any other change of circumstances that  
54 may impact the applicant or recipient's eligibility for a blind pension within ten days of the

55 change. Any notice served on the applicant or recipient shall be sent by [certified] mail  
56 delivered by the United States Postal Service at the applicant's or recipient's address of record  
57 and shall be deemed service for all purposes under sections 209.010 to 209.160.

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