

SECOND REGULAR SESSION

HOUSE BILL NO. 2932

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRAGG.

6443H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 167.019, 167.280, 173.355, 173.1102, 173.1104, 360.015, and 360.045, RSMo, and to enact in lieu thereof seven new sections relating to the treatment of religion by public institutions.

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

Section A. Sections 167.019, 167.280, 173.355, 173.1102, 173.1104, 360.015, and
2 360.045, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as
3 sections 167.019, 167.280, 173.355, 173.1102, 173.1104, 360.015, and 360.045, to read as
4 follows:

167.019. 1. (1) A child-placing agency, as defined under section 210.481, shall
2 promote educational stability for foster care children by considering the child's school
3 attendance area when making placement decisions. The foster care pupil shall have the right
4 to remain enrolled in and attend his or her school of origin pending resolution of school
5 placement disputes or to return to a previously attended school in an adjacent district.

6 (2) In the event that a best interest determination is not completed within ten days of a
7 child's being placed in a foster care placement that is located in a school district other than the
8 child's domicile school district prior to such placement, it shall be deemed that enrollment in
9 the school district where the child resides as a result of such placement shall be in the best
10 interest of the child for the purpose of the required best interest determination. This
11 subdivision shall apply only to cases where the distance between the child's residential
12 address as a result of the foster care placement and the school building that was the child's
13 previous school in their domicile district is more than ten miles, or fifteen miles if the child is

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.

14 receiving service from a special school district established under the provisions of sections
15 162.670 to 162.999.

16 2. Each school district shall accept for credit full or partial course work satisfactorily
17 completed by a pupil while attending a public school~~[;]~~ or nonpublic school~~[; or nonsectarian~~
18 ~~school]~~ in accordance with district policies or regulations.

19 3. If a pupil completes the graduation requirements of his or her school district of
20 residence while under the jurisdiction of the juvenile court as described in chapter 211, the
21 school district of residence shall issue a diploma to the pupil.

22 4. School districts shall ensure that if a pupil in foster care is absent from school due
23 to a decision to change the placement of a pupil made by a court or child placing agency, or
24 due to a verified court appearance or related court-ordered activity, the grades and credits of
25 the pupil shall be calculated as of the date the pupil left school, and no lowering of his or her
26 grades shall occur as a result of the absence of the pupil under these circumstances.

27 5. School districts, subject to federal law, shall be authorized to permit access of pupil
28 school records to any child placing agency for the purpose of fulfilling educational case
29 management responsibilities required by the juvenile officer or by law and to assist with the
30 school transfer or placement of a pupil.

31 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is
32 created under the authority delegated in this section shall become effective only if it complies
33 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
34 This section and chapter 536 are nonseverable and if any of the powers vested with the
35 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
36 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
37 rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid
38 and void.

167.280. 1. Within the amounts appropriated therefor, the state board of education
2 shall award funds for the purpose of providing support services to pupils enrolled in public
3 and nonpublic schools who are identified as having a high risk of dropping out of school.
4 Such awards shall be made on a competitive basis to public institutions of higher education or
5 consortia of public institutions in cooperation with school districts and not-for-profit
6 community-based organizations. In areas of the state where public institutions of higher
7 education are unable to provide appropriate services to high school pupils, the state board
8 may award funds to not-for-profit community-based organizations in cooperation with school
9 districts.

10 2. All applications for funds shall include the following program elements:

11 (1) A program for identifying pupils who are at risk of dropping out of school as
12 measured by academic performance, attendance, discipline problems, and other factors

13 affecting school performance including, but not limited to, teenage pregnancy or parenting,
14 residence in a homeless shelter or other temporary living arrangement, substance abuse, child
15 abuse or neglect, or limited English proficiency;

16 (2) A program for encouraging the use of volunteers and promoting parent
17 involvement as counselors in programs;

18 (3) A program to provide for continuity of services throughout a pupil's progression
19 through secondary school.

20 3. In awarding such funds, the state board shall give priority to applications that:

21 (1) Provide services to pupils identified according to criteria established by the state
22 board of education as in need of assistance;

23 (2) Replicate model programs of proven effectiveness which the state board of
24 education has identified and has made available to applicants;

25 (3) Demonstrate a high level of institutional commitment to programs in fields of
26 counseling, including education, social work, psychology and sociology, and the extent to
27 which such institutions shall involve faculty members and graduate or professional students
28 from such degree programs;

29 (4) Demonstrate a high level of commitment to provide services and ensure
30 continuity of services until such pupils graduate from high school or receive a high school
31 equivalency diploma.

32 4. In awarding funds the state board of education may consider any matching funds
33 that the public institutions of higher education, the not-for-profit community-based
34 organizations, and the school districts may contribute, which may include gifts or bequests
35 from private sources, federal financial aid, or local revenues generated for this purpose.

36 5. ~~[Services for nonpublic school pupils shall be provided at sites other than sectarian~~
37 ~~nonpublic schools.~~

38 ~~6.]~~ Funds available under this section shall be used for compensatory and support
39 services to pupils who are identified by the schools as being at risk of dropping out of school.
40 Such services to be provided under this section may include skills assessment, tutoring,
41 academic and personal counseling, family counseling and home visits, and staff development
42 activities for personnel with direct responsibility for such pupils.

43 ~~[7.]~~ 6. Allowable costs under this program may include, but need not be limited to,
44 salaries of personnel including graduate student stipends, transportation costs for pupils and
45 program personnel, instructional materials, reimbursement to school districts for release time
46 granted to employees while participating in the planning and development activities funded
47 pursuant to this section, training of program personnel, and costs related directly to
48 administration of the program.

49 [8-] 7. The state board of education shall promulgate all rules and regulations for the
50 implementation of this section.

173.355. As used in sections 173.350 to 173.450, the following terms mean:

2 (1) "Asset of the authority", any asset or investment of any kind owned by the
3 authority, including, but not limited to, any student loan, any income or revenues derived
4 from any asset or investment owned by the authority, any funds, income, fees, revenues,
5 proceeds of all bonds or other forms of indebtedness, and proceeds of the sale or liquidation
6 of any such asset or investment;

7 (2) "Authority", the Missouri higher education loan authority;

8 (3) "Board", the Missouri coordinating board for higher education;

9 (4) "Bond resolution", any indenture, resolution or other financing document pursuant
10 to which revenue bonds, notes or other forms of indebtedness of the authority are issued or
11 secured;

12 (5) "Commissioner", the Missouri commissioner of higher education;

13 (6) "Department", the Missouri department of higher education and workforce
14 development;

15 (7) "Public colleges and universities", any public community college, public college,
16 or public university located in the state of Missouri;

17 (8) "Secondary education loans", loans or notes originated by banks, other financial
18 institutions, secondary education institutions or the authority, the proceeds of which are to be
19 used to pay tuition for students enrolling for either junior or senior year at a secondary school
20 which is accredited in accordance with applicable state law. Such loans shall be available
21 only to the parents or guardians of those students who undertake courses of instruction for
22 which postsecondary school course credit may be awarded. [~~Loan proceeds will not be~~
23 ~~available for any secondary school instruction which is sectarian in nature.~~]

173.1102. 1. As used in sections 173.1101 to 173.1107, unless the context requires
2 otherwise, the following terms mean:

3 (1) "Academic year", the period from July first of any year through June thirtieth of
4 the following year;

5 (2) "Approved private institution", a nonprofit institution, dedicated to educational
6 purposes, located in Missouri which:

7 (a) Is operated privately under the control of an independent board and not directly
8 controlled or administered by any public agency or political subdivision;

9 (b) Provides a postsecondary course of instruction at least six months in length
10 leading to or directly creditable toward a certificate or degree;

11 (c) Meets the standards for accreditation as determined by either the Higher Learning
12 Commission or by other accrediting bodies recognized by the United States Department of

13 Education or by utilizing accreditation standards applicable to nondegree-granting institutions
14 as established by the coordinating board for higher education; **and**

15 (d) Does not discriminate in the hiring of administrators, faculty and staff or in the
16 admission of students on the basis of race, color, religion, sex, or national origin and is in
17 compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive orders issued
18 pursuant thereto. Sex discrimination as used herein shall not apply to admission practices of
19 institutions offering the enrollment limited to one sex;

20 ~~[(e) Permits faculty members to select textbooks without influence or pressure by any
21 religious or sectarian source;]~~

22 (3) "Approved public institution", an educational institution located in Missouri
23 which:

24 (a) Is directly controlled or administered by a public agency or political subdivision;

25 (b) Receives appropriations directly or indirectly from the general assembly for
26 operating expenses;

27 (c) Provides a postsecondary course of instruction at least six months in length
28 leading to or directly creditable toward a degree or certificate;

29 (d) Meets the standards for accreditation as determined by either the Higher Learning
30 Commission, or if a public community college created under the provisions of sections
31 178.370 to 178.400 meets the standards established by the coordinating board for higher
32 education for such public community colleges, or by other accrediting bodies recognized by
33 the United States Department of Education or by utilizing accreditation standards applicable
34 to the institution as established by the coordinating board for higher education;

35 (e) Does not discriminate in the hiring of administrators, faculty and staff or in the
36 admission of students on the basis of race, color, religion, sex, or national origin and is
37 otherwise in compliance with the Federal Civil Rights Acts of 1964 and 1968 and executive
38 orders issued pursuant thereto; **and**

39 (f) Permits faculty members to select textbooks without influence or pressure by any
40 religious or sectarian source;

41 (4) "Approved virtual institution", an educational institution that meets all of the
42 following requirements:

43 (a) Is recognized as a qualifying institution by gubernatorial executive order, unless
44 such order is rescinded;

45 (b) Is recognized as a qualifying institution through a memorandum of understanding
46 between the state of Missouri and the approved virtual institution;

47 (c) Is accredited by a regional accrediting agency recognized by the United States
48 Department of Education;

49 (d) Has established and continuously maintains a physical campus or location of
50 operation within the state of Missouri;

51 (e) Maintains at least twenty-five full-time Missouri employees, at least one-half of
52 which shall be faculty or administrators engaged in operations;

53 (f) Enrolls at least one thousand Missouri residents as degree- or certificate-seeking
54 students;

55 (g) Maintains a governing body or advisory board based in Missouri with oversight of
56 Missouri operations;

57 (h) Is organized as a nonprofit institution; and

58 (i) Utilizes an exclusively competency-based education model;

59 (5) "Coordinating board", the coordinating board for higher education;

60 (6) "Financial assistance", an amount of money paid by the state of Missouri to a
61 qualified applicant under sections 173.1101 to 173.1107;

62 (7) "Full-time student", an individual who is enrolled in and is carrying a sufficient
63 number of credit hours or their equivalent at an approved private, public, or virtual institution
64 to secure the degree or certificate toward which he or she is working in no more than the
65 number of semesters or their equivalent normally required by that institution in the program
66 in which the individual is enrolled. This definition shall be construed as the successor to
67 subdivision (7) of section 173.205 for purposes of eligibility requirements of other financial
68 assistance programs that refer to section 173.205;

69 (8) "Student aid index", the amount of money a student and family should pay toward
70 the cost of postsecondary education as calculated by the United States Department of
71 Education and reported on the student aid report or the institutional student information
72 record.

73 2. The failure of an approved virtual institution to continuously maintain all of the
74 requirements in paragraphs (a) to (i) of subdivision (4) of subsection 1 of this section shall
75 preclude such institution's students or applicants from being eligible for assistance under
76 sections 173.1104 and 173.1105.

173.1104. 1. An applicant shall be eligible for initial or renewed financial assistance
2 only if, at the time of application and throughout the period during which the applicant is
3 receiving such assistance, the applicant:

4 (1) Is a citizen or a permanent resident of the United States;

5 (2) Is a resident of the state of Missouri, as determined by reference to standards
6 promulgated by the coordinating board; **and**

7 (3) Is enrolled, or has been accepted for enrollment, as a full-time undergraduate
8 student in an approved private, public, or virtual institution~~]; and~~

9 ~~(4) Is not enrolled or does not intend to use the award to enroll in a course of study~~
10 ~~leading to a degree in theology or divinity].~~

11 2. If an applicant is found guilty of or pleads guilty to any criminal offense during the
12 period of time in which the applicant is receiving financial assistance, such applicant shall not
13 be eligible for renewal of such assistance, provided such offense would disqualify the
14 applicant from receiving federal student aid under Title IV of the Higher Education Act of
15 1965, as amended.

16 3. Financial assistance shall be allotted for one academic year, but a recipient shall be
17 eligible for renewed assistance until he or she has obtained a baccalaureate degree, provided
18 such financial assistance shall not exceed a total of ten semesters or fifteen quarters or their
19 equivalent. Standards of eligibility for renewed assistance shall be the same as for an initial
20 award of financial assistance, except that for renewal, an applicant shall demonstrate a grade-
21 point average of two and five-tenths on a four-point scale, or the equivalent on another scale.
22 This subsection shall be construed as the successor to section 173.215 for purposes of
23 eligibility requirements of other financial assistance programs that refer to section 173.215.

 360.015. As used in sections 360.010 to 360.140, unless the context clearly requires
2 otherwise, the following terms mean:

3 (1) "Authority", the health and educational facilities authority of the state of Missouri
4 created by sections 360.010 to 360.140;

5 (2) "Costs", as applied to health or educational facilities financed in whole or in part
6 pursuant to the provisions of sections 360.010 to 360.140 includes the sum total of all
7 reasonable or necessary expenses incidental to the acquisition, construction, reconstruction,
8 repair, alteration, improvement, and extension of the facilities, including without limitation
9 the expense of studies and surveys; land title and mortgage guaranty policies; architectural
10 and engineering services; legal, organizational, marketing, or other special services;
11 financing, acquiring, demolishing existing structures, constructing, equipping, and
12 developing the sites of new and rehabilitated buildings; rehabilitating, reconstructing,
13 repairing, or remodeling existing buildings; provisions for working capital; reserves for
14 principal and interest and for extensions, enlargements, additions, replacements, renovations,
15 and improvements; and all other necessary and incidental expenses including interest during
16 construction on bonds issued to finance the facilities and for a period subsequent to the
17 estimated date of completion of the facilities;

18 (3) "Educational facilities", a structure or building, whether such structure or building
19 is located within the state of Missouri or outside the state of Missouri, suitable for use as a
20 dormitory or other housing, including housing for staff members, dining hall, student union,
21 administration building, academic building, library, laboratory, place in which to conduct
22 research, classroom, place for athletic activities, place in which to provide health care, place

23 in which to house maintenance equipment and supplies, storage place, and place in which to
24 locate utilities, as well as other structures or appurtenances related thereto required or useful
25 for the instruction of students in the conducting of research at, or the operation of an
26 educational institution, as defined in sections 360.010 to 360.140, including parking lots,
27 garages, and other buildings or structures essential or convenient for the orderly conduct of
28 such an institution and also including all necessary, useful or related furnishings, equipment,
29 machinery, and appurtenances necessary or convenient for the operation of a particular
30 service or structure in the manner for which its use is intended, including, without limitation,
31 the acquisition, preparation and development of all lands necessary or convenient as a site or
32 sites for any of the foregoing, but shall not include such items as books, fuel, supplies, or
33 other items which customarily are deemed to constitute a current operating expense~~—and~~
34 ~~shall not include any property used or to be used for sectarian instruction or study or as a~~
35 ~~place for religious worship or any property used or to be used primarily in connection with~~
36 ~~any part of a program of a school or department of divinity of any religious denomination];~~

37 (4) "Educational institution", any public or private association, corporation,
38 institution, partnership, limited partnership, joint venture or other entity, or any public
39 association, corporation or institution which is, or is owned and operated by, a political
40 subdivision of the state of Missouri, not operated for private or corporate profit, or any public
41 association, corporation or institution which is, or is owned and operated by or on behalf of, a
42 political subdivision of the state of Missouri, authorized by law to provide or operate
43 educational facilities and to provide a program of education in the state of Missouri; and any
44 of the foregoing described entities which are authorized by law to provide or operate
45 educational facilities, and to provide a program of education outside the state of Missouri if
46 such entity, or an affiliate of such entity, also operates an educational facility within the state
47 of Missouri or maintains a regional or national headquarters within the state of Missouri, and
48 any state educational institution as defined in subdivision (5) of section 176.010, and
49 "participating educational institution", any such educational institution which, pursuant to the
50 provisions of sections 360.010 to 360.140, undertakes the financing and construction or
51 acquisition of educational facilities or undertakes the refunding or refinancing of outstanding
52 obligations, of a mortgage, or of advances or loans as provided in and permitted by sections
53 360.010 to 360.140 with respect to an educational facility;

54 (5) "Health facilities", a structure or building, whether such structure or building is
55 located within the state of Missouri or outside the state of Missouri, suitable for use as a
56 hospital, clinic, nursing home, home for the aged or infirm, congregate, life, senior, extended
57 care or elderly housing or care facility, or other health care facility, laboratory, pharmacy,
58 laundry, residence facility or housing for nurses, doctors, interns, staff members, employees,
59 students at such health facilities or their immediate families, and for physically or mentally

60 handicapped persons, place for administrative offices, place in which to conduct research,
61 place in which to house maintenance equipment and supplies, storage place, place in which to
62 locate utilities, auditorium, dining hall, place for food service and preparation, place in which
63 to house fire-fighting equipment, place in which to provide mental and physical health care
64 and dental care, nursing, technical or paraprofessional school, medical or dental teaching
65 school, and place in which to house offices; parking lots, garages, and buildings or structures
66 in which to house supporting services; or any other structure or facilities required or useful for
67 the operation of a health institution; mental, emotional or physical rehabilitation facility;
68 alcohol, drug or substance abuse diagnosis, counseling, treatment or rehabilitation facility;
69 child care or child welfare facility; and all necessary, useful, and related furnishings,
70 equipment, machinery, and appurtenances, or other assets, tangible or intangible, including
71 but not limited to assets related to health delivery systems or networks which are necessary or
72 useful in the development, establishment or operation of a participating health institution;
73 including without limitation the acquisition, preparation, and development of all lands
74 necessary or convenient as a site or sites for any of the foregoing~~], but shall not include any~~
75 ~~property used or to be used for sectarian instruction or study or as a place for religious~~
76 ~~worship or any property used or to be used primarily in connection with any part of a program~~
77 ~~of a school or department of divinity of any religious denomination];~~

78 (6) "Health institution", any of the following entities authorized by law to provide or
79 operate health facilities in the state of Missouri, or outside the state of Missouri if such entity
80 or an affiliate of such entity also operates a health facility within the state of Missouri or
81 maintains a regional or national headquarters within the state of Missouri:

82 (a) Any public or private association, corporation, institution, partnership, limited
83 partnership, joint venture or other entity, not operated for private or corporate profit
84 authorized by law to provide or operate health facilities;

85 (b) Any network or organization of health care providers, however organized; any
86 integrated health care delivery system; any joint venture, partnership or similar arrangement
87 between or among health care providers; any health care purchasing alliance; any health
88 insurers and third-party administrators which are participants in a system, network, joint
89 venture, or partnership that provides health services; any organization which, as its primary
90 purpose, provides supporting services to one or more health institutions; and any foundation
91 which supports a health institution or promotes and encourages health policy or medical
92 research and public health; and

93 (c) Any of the entities listed in paragraph (a) or (b) of this subdivision whether
94 operated for profit or not operated for private or corporate profit;

95 (7) "Missouri college savings bonds", bonds, notes or other evidences of indebtedness
96 issued pursuant to sections 360.010 to 360.140 and designated as such;

97 (8) "Participating health institution", any health institution which, pursuant to the
98 provisions of sections 360.010 to 360.140, undertakes the financing and construction or
99 acquisition of health facilities or undertakes the refunding or refinancing of outstanding
100 obligations, of a mortgage, or of advances or loans as provided in and permitted by sections
101 360.010 to 360.140 with respect to a health institution;

102 (9) "Revenues", with respect to health or educational facilities, the rents, fees,
103 charges, and other income derived from the operation of the facilities.

360.045. 1. The authority shall have the following powers together with all powers
2 incidental thereto or necessary for the performance thereof:

3 (1) To have perpetual succession as a body politic and corporate;

4 (2) To adopt bylaws for the regulation of its affairs and the conduct of its business;

5 (3) To sue and be sued and to prosecute and defend, at law or in equity, in any court
6 having jurisdiction of the subject matter and of the parties;

7 (4) To have and to use a corporate seal and to alter the same at pleasure;

8 (5) To maintain an office at such place or places in the state of Missouri as it may
9 designate;

10 (6) To determine the location and construction of any facility to be financed under the
11 provisions of sections 360.010 to 360.140, and to construct, reconstruct, repair, alter,
12 improve, extend, maintain, lease, and regulate the same; and to designate a participating
13 health institution or a participating educational institution, as the case may be, as its agent to
14 determine the location and construction of a facility undertaken by such participating health
15 institution or participating educational institution, as the case may be, under the provisions of
16 sections 360.010 to 360.140, to construct, reconstruct, repair, alter, improve, extend, maintain,
17 and regulate the same, and to enter into contracts for any and all of such purposes including
18 contracts for the management and operation of the facility;

19 (7) To lease to a participating health institution or a participating educational
20 institution, as the case may be, the particular health or educational facility or facilities, as the
21 case may be, upon such terms and conditions as the authority shall deem proper; to charge
22 and collect rent therefor; to terminate any such lease upon the failure of the lessee to comply
23 with any of the obligations thereof; to include in any such lease, if desired, provisions that the
24 lessee thereof shall have options to renew the term of the lease for such period or periods at
25 such rent as shall be determined by the authority or to purchase any or all of the particular
26 leased facility or facilities; and, upon payment of all of the indebtedness incurred by the
27 authority for the financing of the facility or facilities, to convey any or all of such facility or
28 facilities to the lessee or lessees thereof. ~~Every lease agreement between the authority and an
29 institution must contain a clause obligating the institution not to use the leased land, nor any
30 facility located thereon, for sectarian instruction or study or as a place of religious worship, or~~

31 ~~in connection with any part of the program of a school or department of divinity of any~~
32 ~~religious denomination; to insure that this covenant is honored, each lease agreement shall~~
33 ~~allow the authority to conduct inspections, and every conveyance of title to an institution shall~~
34 ~~contain a restriction against use for any sectarian purpose];~~

35 (8) To issue its bonds, notes, or other obligations for any of its corporate purposes and
36 to refund the same, all as provided in sections 360.010 to 360.140;

37 (9) To transfer assets of the authority to the rebuild damaged infrastructure fund
38 created in section 33.295;

39 (10) To fix and revise from time to time and make and collect rates, rents, fees, and
40 charges for the use of and services furnished or to be furnished by any facility or facilities or
41 any portion thereof and to contract with any person, firm, or corporation or other body, public
42 or private, in respect thereof; except that the authority shall have no jurisdiction over rates,
43 rents, fees, and charges established by a participating educational institution for its students or
44 established by a participating health institution for its patients other than to require that such
45 rates, rents, fees, and charges by such an institution be sufficient to discharge the institution's
46 obligations to the authority;

47 (11) To establish rules and regulations for review by or on behalf of the authority of
48 the retention or employment by a participating health institution or by a participating
49 educational institution, as the case may be, of consulting engineers, architects, attorneys,
50 accountants, construction and finance experts, superintendents, managers, and such other
51 employees and agents as shall be determined to be necessary in connection with any such
52 facility or facilities and for review by or on behalf of the authority of all reports, studies, or
53 other material prepared in connection with any bond issue of the authority for any such
54 facility or facilities. The costs incurred or to be incurred by a participating health institution
55 or by a participating educational institution in connection with the review shall be deemed,
56 where appropriate, an expense of constructing the facility or facilities or, where appropriate,
57 shall be deemed an annual expense of operation and maintenance of the facility or facilities;

58 (12) To receive and accept from any public agency loans or grants for or in aid of the
59 construction of a facility or facilities, or any portion thereof, or for equipping the same and to
60 receive and accept grants, gifts, or other contributions from any source;

61 (13) To mortgage or pledge all or any portion of any facility or facilities, including
62 any other health or educational facility or facilities conveyed to the authority for such purpose
63 and the site or sites thereof, whether then owned or thereafter acquired, for the benefit of the
64 holders of the bonds of the authority issued to finance such facility or facilities or any portion
65 thereof or issued to refund or refinance outstanding indebtedness of a private health
66 institution or a private institution of higher education as permitted by sections 360.010 to
67 360.140;

68 (14) To make loans to any participating health institution or participating educational
69 institution, as the case may be, for the cost of any facility or facilities in accordance with an
70 agreement between the authority and such participating health institution or participating
71 educational institution, as the case may be; except that no such loan shall exceed the total cost
72 of such facility or facilities as determined by the participating health institution or
73 participating educational institution, as the case may be, and approved by the authority;

74 (15) To make loans to a participating health institution or participating educational
75 institution, as the case may be, to refund outstanding obligations, mortgages, or advances
76 issued, made, or given by the institution for the cost of its facility or facilities, including the
77 power to issue bonds and make loans to a participating health institution or participating
78 educational institution, as the case may be, to refinance indebtedness incurred for facilities
79 undertaken and completed prior to or after September 28, 1975, whenever the authority finds
80 that the financing is in the public interest, alleviates a financial hardship upon the
81 participating health institution or participating educational institution, as the case may be, and
82 results in a lesser cost of patient care or cost of education and a saving to third parties,
83 including state or federal governments, and to others who must pay for the care or education;
84 **and**

85 (16) ~~[To inspect any and all facilities assisted by the authority in any way to enforce~~
86 ~~the prohibition against sectarian or religious use at any time; and~~

87 ~~(17)]~~ To do all things necessary and convenient to carry out the purposes of sections
88 360.010 to 360.140.

89 2. Notwithstanding any provision of law to the contrary, including section 360.115,
90 the authority shall transfer four million dollars of the assets of the authority to the rebuild
91 damaged infrastructure fund created in section 33.295 on July 1, 2013.

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