

SS SCS HCS HB 1731 -- GAMING AND TOBACCO SETTLEMENT MONEYS

This bill changes the laws regarding the use of gaming and tobacco settlement moneys. In its main provisions, the bill:

(1) Authorizes the Missouri Veterans' Commission to use funds in the Veterans' Commission Capital Improvement Trust Fund for the administration of the commission;

(2) Changes how money from the Gaming Commission Fund is allocated for Fiscal Year 2013 and beyond by removing specific funding for the Early Childhood Development, Education and Care Fund from this fund and specifies that the net proceeds in the fund after the distribution of specified funds must go to the Veterans' Commission Capital Improvement Trust Fund. The bill requires at least \$35 million from the Tobacco Master Settlement Agreement to be deposited into the Early Childhood Development, Education and Care Fund each fiscal year beginning in FY 2013;

(3) Prohibits a public institution of higher education, political subdivision, governmental entity, or quasi-governmental entity receiving state funds from operating, establishing, or maintaining or offering incentives to participate in or mandating participation in a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education unless the authority to do so is enacted into law through legislation, initiative petition, or referendum or to establish any program, policy, guideline, or plan to operate, establish, or maintain a quality rating system for early childhood education, a training quality assurance system, any successor system, or any substantially similar system for early childhood education unless it has received statutory authority to do so. Any taxpayer of this state or any member of the General Assembly must have standing to bring suit against an entity that is in violation of these provisions in any court with jurisdiction to enforce these provisions. These provisions cannot be construed to limit the content of early childhood education courses, research, or training carried out by any public higher education institution. A course on quality rating systems or training quality assurance systems cannot be a requirement for state certification as an individual child care provider or any licensing requirement that may be established for an individual child care provider;

(4) Increases the annual funding for the Missouri National Guard Trust Fund from the Gaming Commission Fund from \$3 million to \$4 million and allows the General Assembly to annually appropriate up to an additional \$1.5 million to the fund; and

(5) Requires the Joint Committee on Education to develop a comprehensive funding formula for Missouri public institutions of higher education by December 31, 2013, and requires the General Assembly to implement the funding formula beginning July 1, 2014.

The bill contains a nonseverability clause, and if any provision of the bill is held to be invalid for any reason, the remaining provisions will also be invalid.

The bill contains an emergency clause.