

*Be it enacted by the people of the state of Missouri:*

Section A. Sections 196.1003, 196.1023 and 210.102 are amended and three new sections, to be known as sections 149.017, 149.018 and 149.161 are enacted, to read as follows:

[TOBACCO LANGUAGE]

210.102. 1. It shall be the duty of the Missouri children's services commission to:

- (1) Make recommendations which will encourage greater interagency coordination, cooperation, more effective utilization of existing resources and less duplication of effort in activities of state agencies which affect the legal rights and well-being of children in Missouri;
- (2) Develop an integrated state plan for the care provided to children in this state through state programs;
- (3) Develop a plan to improve the quality of children's programs statewide. Such plan shall include, but not be limited to:
  - (a) Methods for promoting geographic availability and financial accessibility for all children and families in need of such services;
  - (b) Program recommendations for children's services which include child development, education, supervision, health and social services;
- (4) Design and implement evaluation of the activities of the commission in fulfilling the duties as set out in this section;
- (5) Report annually to the governor with five copies each to the house of representatives and senate about its activities including, but not limited to the following:
  - (a) A general description of the activities pertaining to children of each state agency having a member on the commission;
  - (b) A general description of the plans and goals, as they affect children, of each state agency having a member on the commission;
  - (c) Recommendations for statutory and appropriation initiatives to implement the integrated state plan;
  - (d) A report from the commission regarding the state of children in Missouri.

2. There is hereby established within the children's services commission the "Coordinating Board for Early Childhood", which shall constitute a body corporate and politic, and shall include but not be limited to the following members:

- ~~(1) A representative from the governor's office;~~
- (1) A representative from each of the following departments: health and senior services, mental health, social services, and elementary and secondary education;
- (2) Two members of the house of representatives, one from each party, appointed by the speaker of the house of representatives and the minority floor leader of the house of representatives;
- (3) Two members of the senate, one from each party, appointed by the president pro tem of the senate and the minority floor leader of the senate;
- (4) Five citizens appointed by the Governor and confirmed by the Senate. No citizen may reside in the same county or Congressional district.
- ~~(5) A representative of the judiciary;~~
- ~~(6) A representative of the family and community trust board (FACT);~~
- ~~(7) A representative from the head start program;~~
- ~~(8) Nine members appointed by the governor with the advice and consent of the senate who are representatives of the groups, such as business, philanthropy, civic groups, faith-based~~

~~organizations, parent groups, advocacy organizations, early childhood service providers, and other stakeholders. The coordinating board may make all rules it deems necessary to enable it to conduct its meetings, elect its officers, and set the terms and duties of its officers. The coordinating board shall elect from amongst its members a chairperson, vice chairperson, a secretary reporter, and such other officers as it deems necessary. Members of the board shall serve without compensation but may be reimbursed for actual expenses necessary to the performance of their official duties for the board.~~

3. The coordinating board for early childhood shall have the power to:
  - (1) Develop a comprehensive statewide long-range strategic plan for a cohesive early childhood system;
  - (2) Direct ~~disbursements grants~~ from the ~~coordinating board for early childhood fund~~ early childhood health and education trust fund as provided in this section to implement the plan;
  - (3) Administer the ~~coordinating board for early childhood fund~~ early childhood health and education trust fund and invest any portion of the moneys not required for immediate disbursement in obligations of the United States or any agency or instrumentality of the United States, in obligations of the state of Missouri and its political subdivisions, in certificates of deposit and time deposits, or other obligations of banks and savings and loan associations, or in such other obligations as may be prescribed by the board;
  - (4) Contract with a not-for-profit or not-for-profits to meet the requirements of this subsection;
  - (5) Provide technical assistance to grantees established in this subsection;
  - (6) Confer with public and private entities for the purpose of promoting and improving the development of children from birth through age five of this state;
  - (7) Identify legislative recommendations to improve services for children from birth through age five;
  - (8) Promote coordination of existing services and programs across public and private entities;
  - (9) Promote research-based approaches to services and ongoing program evaluation;
  - (10) Identify service gaps and advise public and private entities on methods to close such gaps;
  - (11) Coordinate with parents, community leaders, local governments, public and private entities, and faith-based groups to improve the quality of and increase access to early childhood development programs in communities throughout the state;
  - (12) Apply for and accept gifts, grants, appropriations, loans, or contributions to the ~~coordinating board for early childhood fund~~ early childhood health and education trust fund from any source, public or private, and enter into contracts or other transactions with any federal or state agency, any private organizations, or any other source in furtherance of the purpose of subsections 2 and 3 of this section, and take any and all actions necessary to avail itself of such aid and cooperation;
  - (13) Purchase, receive, take by grant, gift, devise, bequest or otherwise, lease, or otherwise acquire, own, hold, improve, employ, use, and otherwise deal with real or personal property or any interests therein, wherever situated;
  - (14) Sell, convey, lease, exchange, transfer or otherwise dispose of all or any of its property or any interest therein, wherever situated;
  - (15) Employ and fix the compensation of an executive director and such other agents or employees as it considers necessary;
  - (16) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the manner in which its business may be transacted;
  - (17) Adopt and use an official seal;
  - (18) Assess or charge fees as the board determines to be reasonable to carry out its purposes;

- (19) Make all expenditures which are incident and necessary to carry out its purposes;
- (20) Sue and be sued in its official name;
- (21) Take such action, enter into such agreements, and exercise all functions necessary or appropriate to carry out the duties and purposes set forth in this section.

- 4. Any grants awarded by the coordinating board for early childhood shall accomplish one or more of the following objectives:
  - (1) Improving the quality of existing early childhood development programs;
  - (2) Increasing access to existing quality early childhood development programs, such as Parents as Teachers;
  - (3) Increasing access to preventive health care and health and developmental screenings for children ages birth through five;
  - (4) Offering parent and family support and education concerning early child development and literacy;
  - (5) Providing professional development and training for early childhood development providers;
  - (6) Increasing coordination of early childhood development programs and public information about the importance of early childhood development;
  - (7) Providing evidenced-based smoking cessation programs for pregnant mothers, such as Baby & Me – Tobacco Free.
- 5. The coordinating board for early childhood shall establish accountability and audit requirements for all grant recipients, including requirements that success be measured by outcomes for children and families.
- 6. Programs and activities funded by the coordinating board for early childhood shall be subject to an independent audit at the discretion and at the expense of the board at any time during the period funding is provided and for up to five years after the grant period has ended.
- 7. No member of the coordinating board for early childhood shall participate in any manner, including voting and formal or informal discussion, on any grant proposal in which any entity by which they are employed or on whose board they serve has a substantial interest. As used in this subsection “substantial interest” shall mean ownership by the individual, the individual’s spouse, or the individual’s dependent children, whether singly or collectively, directly or indirectly, of ten percent or more of any business entity, or of an interest having a value of ten thousand dollars or more, or the receipt by an individual, the individual’s spouse, or the individual’s dependent children, whether singly or collectively, of a salary, gratuity, or other compensation or remuneration of five thousand dollars or more per year from any individual, partnership, organization, or association within any calendar year.
- 8. It shall be the duty of the coordinating board for early childhood to:
  - (1) Establish and maintain a conflict of interest policy for its members and staff;
  - (2) Prepare an annual report describing the activities of the board and a description of outcomes for children and families achieved by the board and grant recipients, including a list of all grant recipients and the amount of any grants awarded to such recipients. The board shall submit the report to the governor, the president pro tempore of the senate, and the speaker of the house of representatives on or before January fifteenth of each year, beginning in 2019, and shall provide a copy of this report to the secretary of state; and

- (3) Ensure a fair and equitable distribution of funds based on the established residency population of children ages birth through five.
9. There is hereby created the ~~Coordinating Board for Early Childhood Fund~~ Early Childhood Health and Education Trust Fund which shall consist of the following:
- (1) Any moneys appropriated by the general assembly for use by the board in carrying out the powers set out in subsections 2 and 3 of this section;
  - (2) Any moneys received from grants or which are given, donated, or contributed to the fund from any source;
  - (3) Any moneys received as fees authorized under subsections 2 and 3 of this section;
  - (4) Any moneys received as interest on deposits or as income on approved investments of the fund;
  - (5) Any moneys obtained from any other available source.
  - (6) All moneys collected as provided in sections 149.017 and 149.161. Interest and moneys earned on the fund shall be credited to the fund. Any moneys credited to and placed in the early childhood health and education trust fund shall be appropriated and used only for purposes which are authorized by this subsection and shall not be subject to the provisions of section 33.080; and
  - (7) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the ~~[coordinating board for early childhood fund~~ early childhood health and education trust fund at the end of the biennium shall not revert to the credit of the general revenue fund.
10. The net proceeds from the moneys collected as provided in sections 149.017 and 149.161 shall constitute new and additional funding for the activities, initiatives, and programs funded by the coordinating board for early childhood and shall not be used to replace existing funding as of July 1, 2016, for the same or similar activities, initiatives, and programs.
11. The early childhood health and education trust fund shall consist of a program account and an administrative account. Ninety-five percent of the moneys received by the fund shall be deposited into the program account to fund grants as provided under this section. Five percent of the moneys received by the fund shall be deposited into the administrative account to fund the requirements of the coordinating board for early childhood as provided under this subsection. Funds may be transferred by the board from the administrative account to the program account, but funds shall not be transferred from the program account to the administrative account.

Section B. All of the provisions of this act are severable. If any provision of this act is found by a court of competent jurisdiction to be unconstitutional or unconstitutionally enacted, the remaining provisions of this act shall be and remain valid and in full force and effect.