SENATE BILL NO. 53

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR ESLINGER.

AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to grants to employers to encourage employees to obtain upskill credentials.

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

Section A. Chapter 620, RSMo, is amended by adding thereto
2 one new section, to be known as section 620.2500, to read as
3 follows:

620.2500. 1. For purposes of this section, the
2 following terms mean:
3   (1) "Employee", any person employed by a qualifying
4 employer or any person who is a prospective employee of a
5 qualifying employer, provided such person is not an
6 independent contractor;
7   (2) "Industry-recognized credential", a specific
8 credential that is sought or accepted by employers within
9 the industry or sector to which the qualifying employer
10 belongs and that is a recognized, preferred, or required
11 credential for recruitment, screening, hiring, retention, or
12 advancement purposes within such industry or sector;
13   (3) "Public body", the state of Missouri, any
14 department, division, commission, board, or political
15 subdivision thereof;
16   (4) "Qualifying employer", any employer registered to
17 do business in the state of Missouri provided the employer
18 is not a public body;
19   (5) "Training provider", any entity that provides
20 training in upskill credentials;

21   (6)   "Technology-focused credential", a credential that
22   demonstrates the competencies necessary to succeed in an
23   occupation that utilizes technology to develop, build, and
24   deliver products and services;
25   (7)   "Upskill credential", includes, but is not limited
26   to, any of the following:
27   (a)   Industry-recognized credentials;
28   (b)   Technology-focused credentials; and
29   (c)   Any other credential indicated by a qualifying
30   employer as necessary for improving the skills of its
31   current and prospective employees.
32   2.   The department of economic development may
33   distribute from the Upskill Credential Fund to any
34   qualifying employer a reimbursement not to exceed two
35   thousand dollars for each employee who obtains upskill
36   credentials, provided that no qualifying employer shall
37   receive more than thirty thousand dollars under this section
38   in any fiscal year. A qualifying employer shall submit an
39   application for an award for such reimbursement as provided
40   in this section in order to receive such funds.
41   3.   The department of economic development shall design
42   an application form for qualifying employers to apply for an
43   award for reimbursement. The application form shall contain
44   all information that the department deems necessary to
45   fulfill the provisions of this section.
46   4.   (1)   The department of economic development shall
47   evaluate all applications submitted by qualifying employers
48   on a competitive basis using the following criteria:
49   (a)   The pledged average wage increase that employees
50   or prospective employees will realize after obtaining the
51   upskill credential in relation to the cost of obtaining the
52   upskill credential;

53   (b)   The level of economic distress in the qualifying

54   employer's region and the balance of awards made to the

55   various regions of the state; and

56   (c)   The contribution made by the qualifying employer

57   toward the cost of obtaining the upskill credential.

58   (2)   Applications shall be evaluated at the close of

59   the application period, as determined by the department, and

60   shall not be awarded on a first come, first served basis.

61   The department may make preliminary awards for reimbursement

62   only after the application period has closed.

63   (3)   In making awards under this section, the

64   department shall distribute an equal number of awards to the

65   following groups of qualifying employers:

66   (a)   Qualifying employers with at least one but not

67   more than fifty employees;

68   (b)   Qualifying employers with at least fifty-one but

69   not more than two hundred employees; and

70   (c)   Qualifying employers with more than two hundred

71   employees.

72   (4)   Applications shall be considered during

73   application periods as determined by the department.

74   5.   (1)   Upon being given a preliminary award for

75   reimbursement under this section, each qualifying employer

76   shall sponsor a current or prospective employee to obtain an

77   upskill credential within twelve months of the preliminary

78   award. A current or prospective employee may not commence

79   the process of obtaining the upskill credential until after

80   a preliminary award has been made.

81   (2)   Upon obtaining the upskill credential, the

82   qualifying employer shall submit proof of the same to the

83   department of economic development.

84   (3)   To receive the reimbursement, the qualifying
85   employer shall provide to the department, within six weeks
86   of completing the upskill credential, proof, in the manner
87   requested by the department, that the individuals who
88   completed the upskill credential are Missouri residents with
89   a verifiable Missouri address.
90   (4)   If the department is satisfied that the current or
91   prospective employee has obtained the upskill credential
92   based upon evidence provided pursuant to subdivision (2) of
93   this subsection and the provisions of subdivision (3) of
94   this subsection have been satisfied, the department shall
95   grant the qualifying employer the reimbursement indicated in
96   the preliminary award.
97   6.   Training providers shall not be eligible for awards
98   issued under this section unless employees are trained by an
99   outside training provider.
100   7.   (1) There is hereby created in the state treasury
101   the "Upskill Credential Fund", which shall consist of money
102   appropriated to the fund by the general assembly, not to
103   exceed six million dollars in any fiscal year, and any funds
104   accepted from other sources, which shall not be limited in
105   any fiscal year. The state treasurer shall be custodian of
106   the fund and may approve disbursements from the fund in
107   accordance with sections 30.170 and 30.180. Upon
108   appropriation, money in the fund shall be used solely for
109   the granting of funds to employers in the manner described
110   in this section.
111   (2)   Notwithstanding the provisions of section 33.080
112   to the contrary, any moneys remaining in the fund at the end
113   of the biennium shall not revert to the credit of the
114   general revenue fund but shall remain in the Upskill
115   Credential Fund.

116   (3) The state treasurer shall invest moneys in the
117 fund in the same manner as other funds are invested. Any
118 interest and moneys earned on such investments shall be
119 credited to the fund.
120   8. Pursuant to section 23.253 of the Missouri sunset
121 act:
122   (1) The provisions of this section shall sunset
123 automatically six years after the effective date of this
124 section unless reauthorized by an act of the general
125 assembly; and
126   (2) If such program is reauthorized, the program so
127 authorized shall sunset automatically twelve years after the
128 effective date of the reauthorization; and
129   (3) This section shall terminate on September first of
130 the calendar year immediately following the calendar year in
131 which the program so authorized is sunset.
132   9. The department may promulgate rules implementing
133 this section. Any rule or portion of a rule, as that term is
134 defined in section 536.010, that is created under the
135 authority delegated in this section shall become effective
136 only if it complies with and is subject to all of the
137 provisions of chapter 536 and, if applicable, section
138 536.028. This section and chapter 536 are nonseverable and
139 if any of the powers vested with the general assembly
140 pursuant to chapter 536 to review, to delay the effective
141 date, or to disapprove and annul a rule are subsequently
142 held unconstitutional, then the grant of rulemaking
143 authority and any rule proposed or adopted after August 28,
144 2023, shall be invalid and void.
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