

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 2171

101ST GENERAL ASSEMBLY

4595H.02P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 167.903 and 513.430, RSMo, and to enact in lieu thereof four new sections relating to workforce development in elementary and secondary education.

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

Section A. Sections 167.903 and 513.430, RSMo, are repealed and four new sections
2 enacted in lieu thereof, to be known as sections 167.903, 167.907, 167.908, and 513.430, to
3 read as follows:

167.903. 1. **The department of elementary and secondary education shall**
2 **establish a process by which** each student prior to ~~[his or her]~~ **the student's** ninth grade year
3 at a public school, including a charter school, ~~[may]~~ **shall** develop with help from the
4 **student's parent or guardian and the** school's guidance counselors ~~[a personal]~~ **an**
5 **individual career and academic** plan ~~[of study]~~, which shall be reviewed ~~[regularly, as~~
6 ~~needed]~~ **annually** by school personnel and the student's parent or guardian and updated based
7 upon the needs of the student. Each plan shall present a sequence of courses and experiences
8 that conclude with the student reaching ~~[his or her]~~ **the student's** postsecondary goals, with
9 implementation of the plan of study transferring to the program of postsecondary education or
10 training upon the student's high school graduation. The plan shall include, but not be limited
11 to:

- 12 (1) Requirements for graduation from the school district or charter school;
- 13 (2) Career or postsecondary goals;
- 14 (3) Coursework or program of study related to career and postsecondary goals, which
15 shall include, if relevant, opportunities that the district or school may not directly offer;

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.

16 (4) Grade-appropriate and career-related experiences, as outlined in the grade-level
17 expectations of the Missouri comprehensive guidance program; and

18 (5) Student assessments, interest inventories, or academic results needed to develop,
19 review, and revise the personal plan of study, which shall include, if relevant, assessments,
20 inventories, or academic results that the school district or charter school may not offer.

21 2. Each school district shall adopt a policy to permit the waiver of the requirements of
22 this section for any student with a disability if recommended by the student's IEP committee.
23 For purposes of this subsection, "IEP" means individualized education program.

24 **3. Prior to the completion of the second semester of the student's twelfth-grade**
25 **year, each student shall include, as part of the student's individual career and academic**
26 **plan, a declaration of the student's postsecondary plans including, but not limited to, the**
27 **following:**

28 (1) **Confirmation of employment upon graduation;**

29 (2) **Acceptance to an institution of higher education, whether a two-year**
30 **institution or a four-year institution;**

31 (3) **Acceptance to participate in a vocational, technical, or other training**
32 **program designed to prepare the student for employment; or**

33 (4) **Commitment to enlist in the Armed Forces of the United States.**

167.907. 1. No student shall receive a certificate of graduation from any public
2 **school or charter school unless the student has completed and submitted the Free**
3 **Application for Federal Student Aid, as maintained by the United States Department of**
4 **Education.**

5 **2. A student shall be exempt from the requirement to complete or submit the**
6 **Free Application for Federal Student Aid under subsection 1 of this section if such**
7 **student submits to the student's school:**

8 (1) **Written confirmation of a commitment to enlist in the Armed Forces of the**
9 **United States; or**

10 (2) **A written document or form, signed by the student's parent or guardian,**
11 **attesting that the student understands what the application is and has chosen not to file**
12 **such application.**

13 **3. After a student makes reasonable efforts to complete the Free Application for**
14 **Federal Student Aid under subsection 1 of this section, the superintendent or**
15 **superintendent's designee shall exempt such student from the requirement to**
16 **complete or submit the application if such student is unable to complete the**
17 **application because of extenuating circumstances.**

18 **4. This section shall apply beginning July 1, 2023.**

167.908. 1. The department of higher education and workforce development shall, by rule, establish a procedure for providing the means and capability for high school students enrolled in career and technical education programs described in section 170.029 to complete an application for aid through the Employment and Training Administration of the United States Department of Labor under the federal Workforce Innovation and Opportunity Act. The department shall work with school districts that deliver career and technical education programs to educate students on the value of the aid that is available to students through the federal Workforce Innovation and Opportunity Act.

2. To accomplish the purposes of subsection 1 of this section, the department shall ensure that the following percentages of all department of elementary and secondary education area career centers that deliver career and technical education programs have the means and capability for students at such schools to complete an application for aid through the Employment and Training Administration of the United States Department of Labor under the federal Workforce Innovation and Opportunity Act:

- (1) For the 2022-23 school year, fifty percent;
- (2) For the 2023-24 school year, seventy percent;
- (3) For the 2024-25 school year, ninety percent; and
- (4) For the 2025-26 school year and every school year thereafter, one hundred percent.

513.430. 1. The following property shall be exempt from attachment and execution to the extent of any person's interest therein:

- (1) Household furnishings, household goods, wearing apparel, appliances, books, animals, crops or musical instruments that are held primarily for personal, family or household use of such person or a dependent of such person, not to exceed three thousand dollars in value in the aggregate;
- (2) A wedding ring not to exceed one thousand five hundred dollars in value and other jewelry held primarily for the personal, family or household use of such person or a dependent of such person, not to exceed five hundred dollars in value in the aggregate;
- (3) Any other property of any kind, not to exceed in value six hundred dollars in the aggregate;
- (4) Any implements or professional books or tools of the trade of such person or the trade of a dependent of such person not to exceed three thousand dollars in value in the aggregate;
- (5) Any motor vehicles, not to exceed three thousand dollars in value in the aggregate;

17 (6) Any mobile home used as the principal residence but not attached to real property
18 in which the debtor has a fee interest, not to exceed five thousand dollars in value;

19 (7) Any one or more unmaturred life insurance contracts owned by such person, other
20 than a credit life insurance contract, and up to fifteen thousand dollars of any matured life
21 insurance proceeds for actual funeral, cremation, or burial expenses where the deceased is the
22 spouse, child, or parent of the beneficiary;

23 (8) The amount of any accrued dividend or interest under, or loan value of, any one or
24 more unmaturred life insurance contracts owned by such person under which the insured is
25 such person or an individual of whom such person is a dependent; provided, however, that if
26 proceedings under Title 11 of the United States Code are commenced by or against such
27 person, the amount exempt in such proceedings shall not exceed in value one hundred fifty
28 thousand dollars in the aggregate less any amount of property of such person transferred by
29 the life insurance company or fraternal benefit society to itself in good faith if such transfer is
30 to pay a premium or to carry out a nonforfeiture insurance option and is required to be so
31 transferred automatically under a life insurance contract with such company or society that
32 was entered into before commencement of such proceedings. No amount of any accrued
33 dividend or interest under, or loan value of, any such life insurance contracts shall be exempt
34 from any claim for child support. Notwithstanding anything to the contrary, no such amount
35 shall be exempt in such proceedings under any such insurance contract which was purchased
36 by such person within one year prior to the commencement of such proceedings;

37 (9) Professionally prescribed health aids for such person or a dependent of such
38 person;

39 (10) Such person's right to receive:

40 (a) A Social Security benefit, unemployment compensation or a public assistance
41 benefit;

42 (b) A veteran's benefit;

43 (c) A disability, illness or unemployment benefit;

44 (d) Alimony, support or separate maintenance, not to exceed seven hundred fifty
45 dollars a month;

46 (e) **a.** Any payment under a stock bonus plan, pension plan, disability or death
47 benefit plan, profit-sharing plan, nonpublic retirement plan or any plan described, defined, or
48 established pursuant to section 456.014, the person's right to a participant account in any
49 deferred compensation program offered by the state of Missouri or any of its political
50 subdivisions, or annuity or similar plan or contract on account of illness, disability, death, age
51 or length of service, to the extent reasonably necessary for the support of such person and any
52 dependent of such person unless:

53 ~~[a-]~~ (i) Such plan or contract was established by or under the auspices of an insider
54 that employed such person at the time such person's rights under such plan or contract arose;

55 ~~[b-]~~ (ii) Such payment is on account of age or length of service; and

56 ~~[e-]~~ (iii) Such plan or contract does not qualify under Section 401(a), 403(a), 403(b),
57 408, 408A or 409 of the Internal Revenue Code of 1986, as amended, (26 U.S.C. Section 401
58 (a), 403(a), 403(b), 408, 408A or 409)~~[-]~~.

59 ~~[except that]~~ **b. Notwithstanding the exemption provided in subparagraph a. of**
60 **this paragraph**, any such payment to any person shall be subject to attachment or execution
61 pursuant to a qualified domestic relations order, as defined by Section 414(p) of the Internal
62 Revenue Code of 1986 (**26 U.S.C. Section 414(p)**), as amended, issued by a court in any
63 proceeding for dissolution of marriage or legal separation or a proceeding for disposition of
64 property following dissolution of marriage by a court which lacked personal jurisdiction over
65 the absent spouse or lacked jurisdiction to dispose of marital property at the time of the
66 original judgment of dissolution;

67 (f) Any money or assets, payable to a participant or beneficiary from, or any interest
68 of any participant or beneficiary in, a retirement plan, profit-sharing plan, health savings plan,
69 or similar plan, including an inherited account or plan, that is qualified under Section 401(a),
70 403(a), 403(b), 408, 408A or 409 of the Internal Revenue Code of 1986 (**26 U.S.C. 401(a),**
71 **403(a), 403(b), 408, 408A, or 409**), as amended, whether such participant's or beneficiary's
72 interest arises by inheritance, designation, appointment, or otherwise, except as provided in
73 this paragraph. Any plan or arrangement described in this paragraph shall not be exempt
74 from the claim of an alternate payee under a qualified domestic relations order; however, the
75 interest of any and all alternate payees under a qualified domestic relations order shall be
76 exempt from any and all claims of any creditor, other than the state of Missouri through its
77 department of social services. As used in this paragraph, the terms "alternate payee" and
78 "qualified domestic relations order" have the meaning given to them in Section 414(p) of the
79 Internal Revenue Code of 1986 (**26 U.S.C. Section 414(p)**), as amended. If proceedings
80 under Title 11 of the United States Code are commenced by or against such person, no
81 amount of funds shall be exempt in such proceedings under any such plan, contract, or trust
82 which is fraudulent as defined in subsection 2 of section 428.024 and for the period such
83 person participated within three years prior to the commencement of such proceedings. For
84 the purposes of this section, when the fraudulently conveyed funds are recovered and after,
85 such funds shall be deducted and then treated as though the funds had never been contributed
86 to the plan, contract, or trust;

87 (11) The debtor's right to receive, or property that is traceable to, a payment on
88 account of the wrongful death of an individual of whom the debtor was a dependent, to the
89 extent reasonably necessary for the support of the debtor and any dependent of the debtor;

90 (12) Firearms, firearm accessories, and ammunition, not to exceed one thousand five
91 hundred dollars in value in the aggregate;

92 (13) Any moneys accruing to and deposited in individual savings accounts or
93 individual deposit accounts under sections 166.400 to 166.456 or sections 166.500 to
94 166.529, subject to the following provisions:

95 (a) This subdivision shall apply to any proceeding that:

96 a. Is filed on or before January 1, 2022; or

97 b. Was filed before January 1, 2022, and is pending or on appeal after January 1,
98 2022;

99 (b) Except as provided by paragraph (c) of this subdivision, if the designated
100 beneficiary of an individual savings account or individual deposit account established
101 under sections 166.400 to 166.456 or sections 166.500 to 166.529 is a lineal descendant of
102 the account owner, all moneys in the account shall be exempt from any claims of
103 creditors of the account owner or designated beneficiary;

104 (c) The provisions of paragraph (b) of this subdivision shall not apply to:

105 a. Claims of any creditor of an account owner as to amounts contributed within
106 a two-year period preceding the date of the filing of a bankruptcy petition under 11
107 U.S.C. Section 101 et seq., as amended; or

108 b. Claims of any creditor of an account owner as to amounts contributed within
109 a one-year period preceding an execution on judgment for such claims against the
110 account owner.

111 2. Nothing in this section shall be interpreted to exempt from attachment or execution
112 for a valid judicial or administrative order for the payment of child support or maintenance
113 any money or assets, payable to a participant or beneficiary from, or any interest of any
114 participant or beneficiary in, a retirement plan which is qualified pursuant to Sections 408 and
115 408A of the Internal Revenue Code of 1986 (26 U.S.C. Sections 408 and 408A), as
116 amended.

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