

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 540**  
**98TH GENERAL ASSEMBLY**

1109H.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To amend chapter 620, RSMo, by adding thereto one new section relating to business incentives.

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

Section A. Chapter 620, RSMo, is amended by adding thereto one new section, to be  
2 known as sections 620.1650, to read as follows:

**620.1650. 1. This section shall be known and may be cited as the “Missouri Startup  
2 Cloud” program, the purpose of which is to facilitate the dissemination of business  
3 financial products from business financing providers to Missouri-based businesses and  
4 provide information regarding the benefits of starting, expanding, or relocating a business  
5 to Missouri.**

**6 2. The department of economic development may create and maintain an internet  
7 website, independent from the department’s website, on which business financing  
8 providers may post any available financial products or services that assist Missouri  
9 businesses free of charge, and the website shall clearly explain the benefits of starting,  
10 expanding, or relocating a business to Missouri and any pertinent business startup  
11 information. If the department fails to create such a website within ninety days of the  
12 effective date of this act, the department shall be required to contract with an internet  
13 website development company to create the exchange.**

**14 3. In the event the department fails to create the exchange website in accordance  
15 with subsection 2 of this section:**

**16 (1) The department shall review all applications of internet website developers for  
17 the purpose of awarding an annual contract for the development, design, marketing, and  
18 maintenance of the exchange website with annual renewals for continuing upgrades,  
19 marketing, and maintenance of the website.**

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.

20           **(2) The awarded website developer shall be solely responsible for all costs**  
21 **associated with the development, marketing, and maintenance of the exchange website, and**  
22 **shall receive no compensation from the department. In order to offset potential expenses,**  
23 **such website developer shall be authorized to sell and retain any funds obtained from**  
24 **advertising space on the website, subject to the restriction that no advertising space shall**  
25 **be sold or licensed to any entity which has not been approved by the director of the**  
26 **department of economic development.**

27           **4. The department shall have the authority to terminate any contract entered into**  
28 **under this section at the department's discretion or if the website developer fails to operate**  
29 **under the department's rules for the exchange website. If the contract is terminated, the**  
30 **department shall immediately assume ownership of all site-related domain names and**  
31 **begin searching for a new website developer to contract with under the terms established**  
32 **in this section.**

33           **5. The state shall retain and have exclusive rights of ownership of all content**  
34 **produced on the exchange website, including, but not limited to, all creative materials,**  
35 **copyrights, photographs, and illustrations.**

36           **6. The department of economic development may promulgate rules necessary to**  
37 **implement the provisions of this section. Any rule or portion of a rule, as that term is**  
38 **defined in section 536.010, that is created under the authority delegated in this section shall**  
39 **become effective only if it complies with and is subject to all of the provisions of chapter**  
40 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**  
41 **if any of the powers vested with the general assembly under chapter 536 to review, to delay**  
42 **the effective date, or to disapprove and annul a rule are subsequently held**  
43 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
44 **after August 28, 2015, shall be invalid and void.**

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