



**Senate Bill 40 Statutes
(RSMo 205.968 to 205.972)**

General Provisions

- Enables the county voters to approve the property tax levy
- Establishes tax levy maximum amount
- Identifies eligible uses of the tax monies
- Establishes the SB 40 Board of Directors' appointments, qualifications, terms, officers, powers, and duties
- Defines the SB 40 Board as a “political subdivision”

Definitions

- (1) "**Developmental disability**" shall mean either or both paragraph (a) or (b) of this subsection:
 - (a) A disability which is attributable to intellectual disability, cerebral palsy, autism, epilepsy, a learning disability related to a brain dysfunction or a similar condition found by comprehensive evaluation to be closely related to such conditions, or to require habilitation similar to that required for intellectually disabled persons; and
 - a. Which originated before age eighteen; and
 - b. Which can be expected to continue indefinitely;
 - (b) A developmental disability as defined in section [630.005](#);
- (2) "**Person with a disability**" shall mean a person who is lower-range educable or upper-range trainable intellectually disabled or a person who has a developmental disability.

RSMo 630.005

"Developmental disability", a disability:

(a) Which is attributable to:

- a. Intellectual disability, cerebral palsy, epilepsy, head injury or autism, or a learning disability related to a brain dysfunction; or
- b. Any other mental or physical impairment or combination of mental or physical impairments; and

(b) Is manifested before the person attains age twenty-two; and

(c) Is likely to continue indefinitely; and

(d) Results in substantial functional limitations in two or more of the following areas of major life activities:

- a. Self-care;
- b. Receptive and expressive language development and use;
- c. Learning;
- d. Self-direction;
- e. Capacity for independent living or economic self-sufficiency;
- f. Mobility; and

(e) Reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, habilitation or other services which may be of lifelong or extended duration and are individually planned and coordinated

SB 40 Board Members

- Appointed by County Commission
- Serve 3-Year Terms
- 7 of the 9 Board Members Must be Residents of the County
- 2 of the 9 Board Members Must be Related within the Third Degree by Blood or Marriage to an Individual with a Developmental Disability
- 4 of the 9 Board Members Must be “Public Members”
- Cannot be Employed by the Board for at Least 1 Year after the Board Member’s Service is Terminated
- Board Members can be Removed by Majority Vote of the Entire Board for:
 - ✓ Failure to Attend 5 Consecutive Meetings without Good Cause
 - ✓ Prejudicial Conduct
 - ✓ Neglect of Duty

SB 40 Board Employees

No Person shall be Employed by the Board who is Related within the Third Degree by Blood or by Marriage to Any Member of the Board

Programs Funded

- Sheltered Workshops & Other Employment Programs
- Targeted Case Management
- Transitional Services
- Direct Supports & Services
- Housing
- Social Centers
- Transportation
- Community Inclusion Programs
- Spend-Down, Ticket-to-Work, and Other Medicaid Premiums
- Other Special and/or Additional Service and Support Needs

Other Governance

- Missouri Ethics Law
- Targeted Case Management Contract
- Other Federal, State, and Local Laws