



Tab 5 2022 Legislative Proposals

Coordinating Board for Higher Education
September 15, 2021

BACKGROUND

The Fast Track Workforce Incentive Grant established by § 173.2553, RSMo, is an adult-focused financial aid program enacted by the General Assembly in 2019. The grant addresses workforce needs by helping adults pursue a certificate, degree, or industry-recognized credential in an area designated as high-need. Students can use the award to attend any public or private college or university, or an area vocational-technical school. Grant recipients must maintain Missouri residency and work in Missouri for three years after graduation to prevent the grant from converting to a loan that must be repaid with interest.

Pursuant to § 173.2553, RSMo, the Fast Track Workforce Incentive Grant will sunset on August 28, 2022, unless it is reauthorized by an act of the General Assembly. The Joint Committee on Legislative Research—Oversight Division’s staff is currently conducting its sunset review of the program and will provide a report with their observations and potential recommendations to Joint Committee lawmakers during the General Assembly’s September veto session. Department staff have worked closely with the Joint Committee throughout their review process and anticipates receiving a draft report prior to the September CBHE meeting.

CURRENT STATUS

Department staff propose the following changes to the Fast Track statute:

Sunset Removal. Section 173.2553.13, RSMo, provides that Fast Track will “sunset automatically after August 28, 2022, unless reauthorized by an act of the general assembly.” Uncertainty surrounding Fast Track program’s likely reduces participation by (1) causing college personnel to hesitate to promote it and (2) making potential eligible applicants worry that program might end before they are able to complete their education. To be effective, financial aid programs need to be predictable so recipients have confidence that the funding will be available for the full timeframe of their eligibility.

Forgivable Loan Removal. Section 173.2553.11(2)(c), RSMo, creates a “clawback provision” that requires Fast Track recipients to live and work in Missouri for at least three years after completing their training or repay some or all of the grant they received. This effectively makes Fast Track a forgivable loan program. In order for the department to operationalize this requirement, the statute requires prospective Fast Track recipients to complete promissory notes before they begin training (§ 173.2553.11(2), RSMo). These features discourage potential participants from receiving the benefits of the program and create significant administrative burdens for both students and department staff.

Data illustrate the impact of the forgivable loan provision. Based on year-end data for FY 2021, the department received 853 Fast Track applications from eligible individuals. Of those, 760 were certified by the institutions as eligible for payment, which means the student met the eligibility criteria and did enroll in a program and incur tuition costs. Of those, only 311 returned a promissory note and received a payment during the fiscal year. Department staff believe that the forgivable loan and promissory note requirements contribute substantially to that drop-off.

In addition, the administrative burden of administering the forgivable loan requirement is substantial. Since Fast Track is a grant that could convert to a loan, the department is considered a private lender. As such, the department must comply with the federal Truth in Lending Act. Students must also complete a promissory note and the additional paperwork required by federal lending requirements which makes the application and approval process complex. Because of this the barrier, many student decide not to participate in the program.

Apprenticeship Expansion. The cost of apprenticeship programs can be significant, including costs associated with supplies, equipment/tools, and fees. Expanding the Fast Track program eligible entity list to include any entity that provides registered, approved apprenticeship programs, as defined by the U.S. Department of Labor, will expand the number of apprenticeship opportunities that will meet high-demand occupations.

NEXT STEPS

If the draft legislation is approved by the Coordinating Board, department staff will continue to work with the Governor's Office to finalize the legislation, identify bill sponsors, and introduce a Fast Track bill during the Second Session of the 101st General Assembly.

RECOMMENDATION

Staff recommend that the Coordinating Board approve the draft Fast Track legislation and authorize the department to make any necessary adjustments to the legislation as the bill goes through the review and legislative process.

ATTACHMENTS

- A. Current Fast Track Statute
- B. Draft Fast Track Legislation

Tab 5 Attachment A Current Fast Track Statute

173.2553. Grant established for postsecondary education — definitions — eligibility — implementation of program — criteria — sunset provision. — 1. There is hereby established a “Fast Track Workforce Incentive Grant”, and any moneys appropriated by the general assembly for this program shall be used to provide grants for Missouri citizens to attend an approved Missouri postsecondary institution of their choice in accordance with the provisions of this section.

2. The definitions of terms set forth in section 173.1102 shall be applicable to such terms as used in this section and section 173.2554. In addition, the following terms shall mean:

- (1) “Board”, the coordinating board for higher education;
- (2) “Eligible program of study”, a program of instruction:
 - (a) Resulting in the award of a certificate, undergraduate degree, or other industry-recognized credential;and
 - (b) That has been designated by the coordinating board as preparing students to enter an area of occupational shortage as determined by the board;
- (3) “Eligible student”, an individual who:
 - (a) Has completed and submitted a FAFSA for the academic year for which the grant is requested;
 - (b) Is a citizen or permanent resident of the United States;
 - (c) Is a Missouri resident as determined by reference to standards promulgated by the coordinating board;
 - (d) Is enrolled, or plans to enroll, at least half-time as a student in an eligible undergraduate program of study offered by an approved public, private, or virtual institution, as defined in section 173.1102;
 - (e) Has an adjusted gross income, as reported on the FAFSA, that does not exceed eighty thousand dollars for married filing joint taxpayers or forty thousand dollars for all other taxpayers; and
 - (f) Is twenty-five years of age or older at the time of enrollment or has not been enrolled in an educational program for the prior two academic years;
- (4) “FAFSA”, the Free Application for Federal Student Aid, as maintained by the United States Department of Education;
- (5) “Fast track grant”, an amount of moneys paid by the state of Missouri to a student under the provisions of this section;
- (6) “Graduation”, completion of a program of study as indicated by the award of a certificate, undergraduate degree, or other industry-recognized credential;
- (7) “Qualifying employment”, full-time employment of a Missouri resident at a workplace located within the state of Missouri, or self-employment while a Missouri resident, with at least fifty percent of an individual's annual income coming from self-employment, either of which result in required returns of income in accordance with section 143.481;
- (8) “Recipient”, an eligible student or renewal student who receives a fast track grant under the provisions of this section;

(9) "Renewal student", an eligible student who remains in compliance with the provisions of this section, has received a grant as an initial recipient, maintains a cumulative grade point average of at least two and one-half on a four-point scale or the equivalent, makes satisfactory academic degree progress as defined by the institution, with the exception of grade point average, and has not received a bachelor's degree.

3. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance; except that, for renewal, an applicant shall demonstrate a grade point average of two and one-half on a four-point scale, or the equivalent on another scale.

4. Eligibility for a grant expires upon the earliest of:

(1) Receipt of the grant for four semesters or the equivalent;

(2) Receipt of a bachelor's degree; or

(3) Reaching two hundred percent of the time typically required to complete the program of study.

5. The coordinating board shall initially designate eligible programs of study by January 1, 2020, in connection with local education institutions, regional business organizations, and other stakeholders. The coordinating board shall annually review the list of eligible programs of study and make changes to the program list as it determines appropriate.

6. The coordinating board shall be the administrative agency for the implementation of the program established by this section and section 173.2554. The coordinating board shall promulgate reasonable rules and regulations for the exercise of its functions and the effectuation of the purposes of this section and section 173.2554. The coordinating board shall prescribe the form and the time and method of filing applications and supervise the processing thereof. The coordinating board shall determine the criteria for eligibility of applicants and shall evaluate each applicant's eligibility. The coordinating board shall select qualified recipients to receive grants, make such awards of financial assistance to qualified recipients, and determine the manner and method of payment to the recipients.

7. The coordinating board shall determine eligibility for renewed assistance on the basis of annual applications. As a condition to consideration for initial or renewed assistance, the coordinating board may require the applicant and the applicant's spouse to execute forms of consent authorizing the director of revenue to compare financial information submitted by the applicant with the Missouri individual income tax returns of the applicant, and the applicant's spouse, for the taxable year immediately preceding the year for which application is made, and to report any discrepancies to the coordinating board.

8. Grants shall be awarded in an amount equal to the actual tuition and general fees charged of an eligible student, after all federal nonloan aid, state student aid, and any other governmental student financial aid are applied. If a grant amount is reduced to zero due to the receipt of other aid, the eligible student shall receive an award of up to five hundred dollars or the remaining cost of attendance as calculated by the institution after all nonloan student aid has been applied, whichever is less, per academic term.

9. If appropriated funds are insufficient to fund the program as described, students applying for renewed assistance shall be given priority until all funds are expended.

10. A recipient of financial assistance may transfer from one approved public, private, or virtual institution to another without losing eligibility for assistance under this section, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition or fees under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund that may be attributed to the grant to the coordinating board. The coordinating board shall use these refunds to make additional awards under the provisions of this section.

11. Subject to the requirements of subsections 2, 3, and 4 of this section, a student is eligible for a fast track grant under this section if the student meets all of the following criteria:

(1) The student has successfully completed counseling explaining the benefits and obligations of the program under this section, including the terms and conditions of the promissory note under subdivision (2) of this subsection and the consequences of noncompliance specified in section 173.2554; and

(2) The student executes a promissory note acknowledging that the fast track grant moneys awarded under this section will be converted to a loan, and agreeing to repay that loan if he or she fails to satisfy the following conditions:

(a) Maintenance of at least half-time enrollment in an eligible program, with an interruption of qualifying enrollment of no more than twelve consecutive months from the last day of the most recent payment period during which the student received a fast track award;

(b) Graduation from an approved institution; or

(c) Residency within the state of Missouri within twelve months after the date of the student's graduation and for a period of not less than three years and qualifying employment within twelve months of the student's graduation and for a period of not less than three years. Residency and qualifying employment obligations may be deferred if the recipient's studies continue after graduation.

12. Persons who receive fast track grants under this section shall be required to submit proof of residency and qualifying employment to the coordinating board for higher education within thirty days of completing each twelve months of qualifying employment until the three-year employment obligation is fulfilled.

13. Under section 23.253 of the Missouri sunset act:

(1) The provisions of the new program authorized under this section shall sunset automatically three years after August 28, 2019, unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall sunset automatically six years after the effective date of the reauthorization; and

(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

(L. 2019 S.B. 68)

Sunset date 8-28-22

Termination date 12-31-23

173.2554. Grant converted to loan, when — waiver, when — deferments or forbearances, when — fund created, use of moneys — rulemaking authority. — 1. Except as provided in subsection 2 of this section, if a student who received a fast track grant under section 173.2553 fails to comply with the terms of the promissory note under subdivision (2) of subsection 11 of section 173.2553, including failure to satisfy the conditions in paragraph* (a), (b), or (c) of such subdivision, the fast track grant shall be converted to a loan. This loan shall accrue interest at the federal direct loan interest rate for direct subsidized undergraduate loans in effect at the time the student enters the eligible program. Interest shall be calculated from the date the recipient enters repayment. For a recipient who fulfills some, but not all, of his or her three-year residency and employment obligations, the amount of the fast track grant that is converted to a loan shall be reduced by one-third for each period of twelve months of residency and employment as verified by the proof of residency and qualifying employment required in subsection 12 of section 173.2553.

2. The coordinating board shall provide for a waiver under the fast track grant if the grant is not converted to a loan under subsection 1 of this section for a recipient who fails to comply with terms of the agreement under paragraph* (a), (b), or (c) of subdivision (2) of subsection 11 of section 173.2553 due to his or her total and permanent disability or death, the total and permanent disability or death of his or her spouse or child, or if such recipient or recipient's spouse is providing service to any branch of the Armed Forces of the United States and is transferred out of state and is no longer able to maintain Missouri residency as a result of such service. The waiver shall specify standards for the board's determination of total and permanent disability or death standards for the board's determination of total and permanent disability or death, or military transfer status, and a process for seeking a waiver under this subsection.

3. The coordinating board shall deposit in the fast track workforce incentive grant fund all repayments of principal and interest on the loans under subsection 1 of this section.

4. The coordinating board shall establish a procedure and guidelines for granting deferments or forbearances of fast track grants that have converted to loans and are in repayment status for recipients who:

- (1) Are enrolled at least half-time at an institution of higher education;
- (2) Experience economic hardship;
- (3) Have a medical condition limiting their ability to continue repayment including, but not limited to, illness, disability, or pregnancy; or
- (4) Are providing service to any branch of the Armed Forces of the United States.

5. The coordinating board shall establish a procedure and guidelines for granting loan discharge for fast track grants that have been converted to loans and are in repayment for recipients who are unable to fulfill the repayment obligation due to their total and permanent disability or death or the total and permanent disability or death of their spouse or child.

6. (1) There is hereby created in the state treasury the "Fast Track Workforce Incentive Grant Fund". The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely by the coordinating board for the purposes of this section and section 173.2553.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

7. The coordinating board shall have the authority to promulgate rules to implement the provisions of this section and section 173.2553. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void.

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(L. 2019 S.B. 68)

*Word “paragraphs” appears in original rolls.

Tab 5 Attachment B Draft Fast Track Legislation

AN ACT

To repeal section 173.2553, RSMo, and to enact in lieu thereof one new section relating to workforce development.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

Section A. Section 173.2553, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 2553, to read as follows:

173.2553. Grant established for postsecondary education — definitions — eligibility — implementation of program — criteria — sunset provision. — 1. There is hereby established a “Fast Track Workforce Incentive Grant”, and any moneys appropriated by the general assembly for this program shall be used to provide grants for Missouri citizens to attend an approved Missouri postsecondary institution of their choice in accordance with the provisions of this section.

2. The definitions of terms set forth in section 173.1102 shall be applicable to such terms as used in this section and section 173.2554. In addition, the following terms shall mean:

- (1) “Board”, the coordinating board for higher education;
- (2) “Eligible program of study”, a program of instruction:
 - (a) Resulting in the award of an undergraduate certificate or degree, or other industry-recognized credential; and
 - (b) That has been designated by the coordinating board as preparing students to enter an area of occupational shortage as determined by the board;
- (3) “Eligible student”, an individual who:
 - (a) Has completed and submitted a FAFSA for the academic year for which the grant is requested;
 - (b) Is a citizen or permanent resident of the United States;
 - (c) Is a Missouri resident as determined by reference to standards promulgated by the coordinating board;
 - (d) Is enrolled, or plans to enroll, at least half-time as a student in an eligible ~~undergraduate~~ program of study offered by an approved public, private, or virtual institution, as defined in section 173.1102; **or is formally participating in a Department of Labor approved apprenticeship, as defined under 29 CFR Part 29;**
 - (e) Has an adjusted gross income, as reported on the FAFSA, that does not exceed eighty thousand dollars for married filing joint taxpayers or forty thousand dollars for all other taxpayers; and
 - (f) Is twenty-five years of age or older at the time of enrollment or has not been enrolled in an educational program for the prior two academic years;
- (4) “FAFSA”, the Free Application for Federal Student Aid, as maintained by the United States Department of Education;
- (5) “Fast track grant”, an amount of moneys paid by the state of Missouri to a student under the provisions of

this section;

~~(6) "Graduation", completion of a program of study as indicated by the award of a certificate, undergraduate degree, or other industry recognized credential;~~

~~(7) "Qualifying employment", full-time employment of a Missouri resident at a workplace located within the state of Missouri, or self-employment while a Missouri resident, with at least fifty percent of an individual's annual income coming from self-employment, either of which result in required returns of income in accordance with section 143.481;~~

~~(8) (6) "Recipient", an eligible student or renewal student who receives a fast track grant under the provisions of this section;~~

~~(9) (7) "Related educational costs", direct costs incurred by an individual as part of an eligible apprenticeship program, such as, but not limited to, tools, books and uniforms;~~

~~(8) "Renewal student", an eligible student who remains in compliance with the provisions of this section, has received a grant as an initial recipient, maintains a cumulative grade point average of at least two and one-half on a four-point scale, or the equivalent, **or an active apprentice status**, makes satisfactory academic degree progress as defined by the institution **or entity providing the apprenticeship**, with the exception of grade point average, **equivalent, or active apprentice status**, and has not received a bachelor's degree.~~

3. Standards of eligibility for renewed assistance shall be the same as for an initial award of financial assistance; except that, for renewal, an applicant shall demonstrate a grade point average of two and one-half on a four-point scale, or the equivalent on another scale.

4. Eligibility for a grant expires upon the earliest of:

(1) Receipt of the grant for four semesters or the equivalent;

(2) Receipt of a bachelor's degree; or

(3) Reaching two hundred percent of the time typically required to complete the program of study.

5. The coordinating board shall initially designate eligible programs of study by January 1, 2020, in connection with local education institutions, regional business organizations, and other stakeholders. The coordinating board shall annually review the list of eligible programs of study and make changes to the program list as it determines appropriate.

6. The coordinating board shall be the administrative agency for the implementation of the program established by this section and section 173.2554. The coordinating board shall promulgate reasonable rules and regulations for the exercise of its functions and the effectuation of the purposes of this section and section 173.2554. The coordinating board shall prescribe the form and the time and method of filing applications and supervise the processing thereof. The coordinating board shall determine the criteria for eligibility of applicants and shall evaluate each applicant's eligibility. The coordinating board shall select qualified recipients to receive grants, make such awards of financial assistance to qualified recipients, and determine the manner and method of payment to the recipients.

7. The coordinating board shall determine eligibility for renewed assistance on the basis of annual applications. As a condition to consideration for initial or renewed assistance, the coordinating board may require the applicant and the applicant's spouse to execute forms of consent authorizing the director of revenue to compare financial

information submitted by the applicant with the Missouri individual income tax returns of the applicant, and the applicant's spouse, for the taxable year immediately preceding the year for which application is made, and to report any discrepancies to the coordinating board.

8. Grants shall be awarded in an amount equal to the actual tuition and general fees **for students enrolled in an approved program of study at an approved public, private or virtual institution, or related education cost for an individual formally participating in an approved apprenticeship**, after all federal nonloan aid, state student aid, and any other governmental student financial aid are applied. If a grant amount is reduced to zero due to the receipt of other aid, the eligible student shall receive an award of up to five hundred dollars or the remaining cost of attendance as calculated by the institution after all nonloan student aid has been applied, whichever is less, per academic term.

9. If appropriated funds are insufficient to fund the program as described, students applying for renewed assistance shall be given priority until all funds are expended.

10. A recipient of financial assistance may transfer from one approved public, private, or virtual institution to another without losing eligibility for assistance under this section, but the coordinating board shall make any necessary adjustments in the amount of the award. If a recipient of financial assistance at any time is entitled to a refund of any tuition or fees under the rules and regulations of the institution in which he or she is enrolled, the institution shall pay the portion of the refund that may be attributed to the grant to the coordinating board. The coordinating board shall use these refunds to make additional awards under the provisions of this section.

~~11. Subject to the requirements of subsections 2, 3, and 4 of this section, a student is eligible for a fast track grant under this section if the student meets all of the following criteria:~~

~~—(1) The student has successfully completed counseling explaining the benefits and obligations of the program, under this section, including the terms and conditions of the promissory note under subdivision (2) of this subsection and the consequences of noncompliance specified in section 173.2554; and~~

~~—(2) The student executes a promissory note acknowledging that the fast track grant moneys awarded under this section will be converted to a loan, and agreeing to repay that loan if he or she fails to satisfy the following conditions:~~

~~—(a) Maintenance of at least half-time enrollment in an eligible program, with an interruption of qualifying enrollment of no more than twelve consecutive months from the last day of the most recent payment period during which the student received a fast track award;~~

~~—(b) Graduation from an approved institution; or~~

~~—(c) Residency within the state of Missouri within twelve months after the date of the student's graduation and for a period of not less than three years and qualifying employment within twelve months of the student's graduation and for a period of not less than three years. Residency and qualifying employment obligations may be deferred if the recipient's studies continue after graduation.~~

~~—12. Persons who receive fast track grants under this section shall be required to submit proof of residency and qualifying employment to the coordinating board for higher education within thirty days of completing each twelve months of qualifying employment until the three-year employment obligation is fulfilled.~~

~~—13. Under section 23.253 of the Missouri sunset act:~~

~~—(1) The provisions of the new program authorized under this section shall sunset automatically three years~~

after August 28, 2019, unless reauthorized by an act of the general assembly; and

~~—(2) If such program is reauthorized, the program authorized under this section shall sunset automatically six years after the effective date of the reauthorization; and~~

~~—(3) This section shall terminate on December thirty-first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.~~

~~173.2554. Fund created, use of moneys — rulemaking authority. — 1. Except as provided in subsection 2 of this section, if a student who received a fast track grant under section 173.2553 fails to comply with the terms of the promissory note under subdivision (2) of subsection 11 of section 173.2553, including failure to satisfy the conditions in paragraph* (a), (b), or (c) of such subdivision, the fast track grant shall be converted to a loan. This loan shall accrue interest at the federal direct loan interest rate for direct subsidized undergraduate loans in effect at the time the student enters the eligible program. Interest shall be calculated from the date the recipient enters repayment. For a recipient who fulfills some, but not all, of his or her three-year residency and employment obligations, the amount of the fast track grant that is converted to a loan shall be reduced by one-third for each period of twelve months of residency and employment as verified by the proof of residency and qualifying employment required in subsection 12 of section 173.2553.~~

~~—2. The coordinating board shall provide for a waiver under the fast track grant if the grant is not converted to a loan under subsection 1 of this section for a recipient who fails to comply with terms of the agreement under paragraph* (a), (b), or (c) of subdivision (2) of subsection 11 of section 173.2553 due to his or her total and permanent disability or death, the total and permanent disability or death of his or her spouse or child, or if such recipient or recipient's spouse is providing service to any branch of the Armed Forces of the United States and is transferred out of state and is no longer able to maintain Missouri residency as a result of such service. The waiver shall specify standards for the board's determination of total and permanent disability or death standards for the board's determination of total and permanent disability or death, or military transfer status, and a process for seeking a waiver under this subsection.~~

~~—3. The coordinating board shall deposit in the fast track workforce incentive grant fund all repayments of principal and interest on the loans under subsection 1 of this section.~~

~~—4. The coordinating board shall establish a procedure and guidelines for granting deferments or forbearances of fast track grants that have converted to loans and are in repayment status for recipients who:~~

~~—(1) Are enrolled at least half-time at an institution of higher education;~~

~~—(2) Experience economic hardship;~~

~~—(3) Have a medical condition limiting their ability to continue repayment including, but not limited to, illness, disability, or pregnancy; or~~

~~—(4) Are providing service to any branch of the Armed Forces of the United States.~~

~~—5. The coordinating board shall establish a procedure and guidelines for granting loan discharge for fast track grants that have been converted to loans and are in repayment for recipients who are unable to fulfill the repayment obligation due to their total and permanent disability or death or the total and permanent disability or death of their spouse or child.~~

—~~6.~~ (1) There is hereby created in the state treasury the “Fast Track Workforce Incentive Grant Fund”. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used solely by the coordinating board for the purposes of this section and section 173.2553.

(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund.

(3) The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

~~2.7.~~ The coordinating board shall have the authority to promulgate rules to implement the provisions of this section and section 173.2553. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void.