

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1933

100TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE WIEMANN.

3139H.03P

DANA RADEMAN MILLER, Chief Clerk

---

## AN ACT

To amend chapter 37, RSMo, by adding thereto nine new sections relating to the Missouri local government expenditure database.

---

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

Section A. Chapter 37, RSMo, is amended by adding thereto nine new sections, to be  
2 known as sections 37.1090, 37.1091, 37.1092, 37.1093, 37.1094, 37.1095, 37.1096, 37.1097,  
3 and 37.1098, to read as follows:

**37.1090. As used in sections 37.1090 to 37.1098, the following terms mean:**

2 (1) "Expenditure", any monetary payment from a municipality or county to any  
3 vendor including, but not limited to, a payment, distribution, loan, advance,  
4 reimbursement, deposit, or gift;

5 (2) "Municipality", a city, town, or village that is incorporated in accordance with  
6 the laws of this state;

7 (3) "State entity", the general assembly; the supreme court of Missouri; the office  
8 of an elected state official; or an agency, board, commission, department, institution,  
9 instrumentality, office, or other governmental entity of this state, excluding municipalities,  
10 counties, institutions of higher education, and any public employee retirement system;

11 (4) "Vendor", any person, partnership, corporation, association, organization, state  
12 entity, or other party that:

13 (a) Sells, leases, or otherwise provides equipment, materials, goods, supplies, or  
14 services to a municipality or county; or

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.

15 (b) **Receives reimbursement from a municipality or county for any expense.**

2 **37.1091. The "Missouri Local Government Expenditure Database" is hereby**  
3 **created and shall be maintained on the Missouri accountability portal, established under**  
4 **section 37.850, by the office of administration. The database shall be available on the office**  
5 **of administration website and shall include information about expenditures made during**  
6 **each fiscal year that begins after December 31, 2022. The database shall be publicly**  
7 **accessible without charge.**

2 **37.1092. For each expenditure, the Missouri local government expenditure database**  
3 **shall include the following information:**

3 (1) **The amount of the expenditure;**

4 (2) **The date the expenditure was paid;**

5 (3) **The vendor to whom the expenditure was paid, unless the disclosure of the**  
6 **vendor's name would violate a confidentiality requirement, in which case the vendor may**  
7 **be listed as confidential;**

8 (4) **The purpose of the expenditure; and**

9 (5) **The municipality or county that made the expenditure or requested the**  
10 **expenditure be made.**

2 **37.1093. The Missouri local government expenditure database shall provide:**

2 (1) **A database of all expenditures; and**

3 (2) **The ability to download information.**

2 **37.1094. 1. A municipality or county may choose to voluntarily participate in the**  
3 **Missouri local government expenditure database, or, if a requisite number of residents of**  
4 **a municipality or county request the municipality or county to participate, such**  
5 **jurisdiction shall participate in the Missouri local government expenditure database. The**  
6 **requisite number of residents requesting participation shall be five percent of the**  
7 **registered voters of such jurisdiction voting in the last general municipal election, as**  
8 **described under section 115.121. Residents may request participation by submitting a**  
9 **written letter by certified mail to the governing body of the municipality or county and the**  
10 **office of administration. Multiple residents may sign one letter, but the number of requests**  
11 **from residents shall include all requests from all letters received. Upon receiving such a**  
12 **letter, a municipality or county shall acknowledge receipt thereof to the resident and the**  
13 **office of administration within thirty days. After receiving the requisite number of**  
14 **requests, a municipality or county shall begin participating in the database but shall not**  
15 **be required to report expenditures incurred before one complete six-month reporting**  
**period described under subsection 2 of this section has elapsed.**

16           **2. Each municipality or county participating in the database shall provide**  
17 **electronically transmitted information to the office of administration, in a format the office**  
18 **requires, for inclusion in the Missouri local government expenditure database regarding**  
19 **each of the municipality's or county's expenditures biannually. Information regarding the**  
20 **first half of the calendar year shall be submitted before July thirty-first of such year.**  
21 **Information regarding the second half of the calendar year shall be submitted before**  
22 **January thirty-first of the year immediately following such year.**

23           **3. Notwithstanding subsection 1 of this section, no submission shall be required for**  
24 **any expenditures incurred before January 1, 2023.**

25           **4. The office of administration shall provide each municipality and county**  
26 **participating in the database with a template in the format described under section 37.1092**  
27 **for the purpose of uploading the data. The office of administration shall have the authority**  
28 **to grant the municipality or county access for the purpose of uploading data.**

29           **5. Upon appropriation, the office of administration shall provide financial**  
30 **reimbursement to any participating municipality or county for actual expenditures**  
31 **incurred for participating in the database.**

**37.1095. No later than one year after the Missouri local government expenditure**  
2 **database is implemented, the office of administration shall provide, on the office of**  
3 **administration website, an opportunity for public comment on the utility of the database.**

**37.1096. The Missouri local government expenditure database shall not include any**  
2 **confidential information or any information that is not a public record under the laws of**  
3 **this state. However, the state shall not be liable for the disclosure of a record in the**  
4 **Missouri local government expenditure database that is confidential information or is not**  
5 **a public record under the laws of this state.**

**37.1097. Each municipality or county that has a website shall display on its website**  
2 **a prominent internet link to the Missouri local government expenditure database.**

**37.1098. The office of administration may adopt rules to implement the provisions**  
2 **of sections 37.1090 to 37.1098. Any rule or portion of a rule, as that term is defined in**  
3 **section 536.010, that is created under the authority delegated in this section shall become**  
4 **effective only if it complies with and is subject to all of the provisions of chapter 536 and,**  
5 **if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any**  
6 **of the powers vested with the general assembly pursuant to chapter 536 to review, to delay**  
7 **the effective date, or to disapprove and annul a rule are subsequently held**  
8 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**  
9 **after August 28, 2020, shall be invalid and void.**

✓