

SECOND REGULAR SESSION

# HOUSE BILL NO. 2426

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LAVENDER.

2962H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal section 33.080, RSMo, and to enact in lieu thereof one new section relating to unexpended balances of state moneys.

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

Section A. Section 33.080, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 33.080, to read as follows:

33.080. 1. All fees, funds and moneys from whatsoever source received by any department, board, bureau, commission, institution, official or agency of the state government by virtue of any law or rule or regulation made in accordance with any law, excluding all funds received and disbursed by the state on behalf of counties and cities, towns and villages shall, by the official authorized to receive same, and at stated intervals of not more than thirty days, be placed in the state treasury to the credit of the particular purpose or fund for which collected, and shall be subject to appropriation by the general assembly for the particular purpose or fund for which collected during the biennium in which collected and appropriated. **Except as otherwise provided in subsection 2 of this section**, the unexpended balance remaining in all such funds (except such unexpended balance as may remain in any fund authorized, collected and expended by virtue of the provisions of the constitution of this state) shall at the end of the biennium and after all warrants on same have been discharged and the appropriation thereof has lapsed, be transferred and placed to the credit of the general revenue fund of the state by the state treasurer. Any official or any person who shall willfully fail to comply with any of the provisions of this section, and any person who shall willfully violate any provision hereof, shall be deemed guilty of a misdemeanor; provided, that all such money received by the curators of the University of Missouri except those funds required by law 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.

18 by instrument granting the same to be paid into the seminary fund of the state, is excepted  
19 herefrom, and in the case of other state educational institutions there is excepted herefrom,  
20 gifts or trust funds from whatever source; appropriations; gifts or grants from the federal  
21 government, private organizations and individuals; funds for or from student activities; farm  
22 or housing activities; and other funds from which the whole or some part thereof may be  
23 liable to be repaid to the person contributing the same; and hospital fees. All of the above  
24 excepted funds shall be reported in detail quarterly to the governor and biennially to the  
25 general assembly.

26 ~~[2. Notwithstanding any provision of law to the contrary concerning the transfer of~~  
27 ~~funds, ten million dollars shall be transferred from the insurance dedicated fund established~~  
28 ~~under section 374.150, and placed to the credit of the rebuild damaged infrastructure fund~~  
29 ~~created in section 33.295 on July 1, 2013.]~~

30 **2. (1) As used in this subsection, "excluding provision" means a provision**  
31 **included in legislation creating a new fund specifying that, notwithstanding the**  
32 **provisions of this section to the contrary, moneys remaining in the fund at the end of the**  
33 **biennium shall not revert to the credit of the general revenue fund.**

34 **(2) No excluding provision shall be enforceable unless such excluding provision**  
35 **is approved by the general assembly as provided in subdivision (3) of this subsection.**

36 **(3) Each chamber of the general assembly shall present to the members elected**  
37 **to the chamber the question of whether to approve an excluding provision in legislation**  
38 **under consideration by the chamber. If at least two-thirds of the members elected to the**  
39 **chamber are in favor of the question, the excluding provision shall be considered**  
40 **approved by the chamber. If the vote on the excluding provision does not receive the**  
41 **approval of at least two-thirds of the members of the chamber, the excluding provision**  
42 **shall not be considered approved by the chamber.**

43 **(4) A question to approve an excluding provision under this subsection shall be**  
44 **voted on by a roll call vote.**

45 **(5) The general assembly shall remove an unapproved excluding provision from**  
46 **legislation under consideration before such legislation is truly agreed to and finally**  
47 **passed.**

48 **(6) This subsection shall apply to legislation taken up for consideration by the**  
49 **general assembly after January 1, 2025.**

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