

# SENATE BILL NO. 383

## 101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MOON.

1372S.02I

ADRIANE D. CROUSE, Secretary

### AN ACT

To repeal sections 109.400 and 109.410, RSMo, relating to the preservation of records.

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

Section A. Sections 109.400 and 109.410, RSMo, are  
2 repealed, to read as follows:

3 [109.400. 1. The secretary of state is  
4 hereby authorized:

5 (1) To plan, acquire, construct, develop,  
6 operate, and maintain, or to lease or sublease  
7 to or from others for acquisition, construction,  
8 development, operation, and maintenance, an  
9 archival facility located in a city not within a  
10 county to preserve documents of legal,  
11 historical, and genealogical importance to the  
12 state of Missouri, and to provide educational  
13 and outreach programs sponsored by the Missouri  
14 state archives;

15 (2) To enter into contracts and agreements  
16 with public or private persons, partnerships,  
17 associations, entities, corporations, and  
18 cities, counties, and other subdivisions of the  
19 state of Missouri such as might be necessary to  
20 promote the planning, acquisition, construction,  
21 development, operation, or maintenance of such  
22 facility and its programs; and

23 (3) To receive any grants, gifts,  
24 bequests, rentals, contributions, moneys, or  
25 properties appropriated or otherwise designated  
26 for payment to the secretary of state for the  
27 planning, acquisition, construction,  
28 development, operation, or maintenance of such  
29 facility and its programs by municipalities,  
30 counties, state, or other political subdivisions  
31 or public agencies or by the federal government  
32 or any agency or officer thereof or from any  
33 other public or private source.

34 2. Nothing in this section shall require  
any local agency, entity, or subdivision to  
transfer any records to the state archives.]

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

2 [109.410. 1. There is hereby established  
3 in the state treasury a special revolving fund  
4 to be known as the "Missouri State Archives-St.  
5 Louis Trust Fund". The fund shall consist of  
6 all moneys received from federal, private, or  
7 other sources for the planning, acquisition,  
8 construction, development, operation, or  
9 maintenance of the facility and programs  
10 authorized by section 109.400. The fund shall  
11 further consist of fees generated at the St.  
12 Louis facility for copying public records and  
13 for providing public access to public records  
14 and images, including staff time required for  
15 making copies and reproducing images.

16 2. The state treasurer shall be custodian  
17 of the Missouri state archives-St. Louis trust  
18 fund. Moneys in the fund shall be used  
19 exclusively for the planning, acquisition,  
20 construction, development, operation, or  
21 maintenance of the facility and programs  
22 authorized by section 109.400. No moneys  
23 obtained through the provisions of this section  
24 shall be made a part of the general operating  
25 budget of the state of Missouri, nor shall they  
26 be transferred into the general revenue fund.  
27 No moneys from the state general revenue fund  
28 shall be appropriated for the purposes of  
29 funding an archival facility located in any city  
30 not within a county as provided in sections  
31 109.400 to 109.410. Notwithstanding section  
32 33.080 to the contrary, any moneys remaining in  
33 the fund at the end of any biennium shall not  
34 revert to the credit of the general revenue  
35 fund. All yield, interest, income, increment,  
36 or gain received from time deposit of moneys in  
37 the state treasury to the credit of the fund  
38 shall be credited to the fund. Notwithstanding  
39 any provision of law to the contrary, no amount  
40 of moneys in the fund shall be transferred from  
41 the fund or charged for purposes of the  
42 administration of central services for the state  
of Missouri.]

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