

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 467

96TH GENERAL ASSEMBLY

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Reported from the Committee on Appropriations, January 12, 2012, with recommendation that the Senate Committee Substitute do pass.

4291S.03C

TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal section 37.850, RSMo, and to enact in lieu thereof two new sections relating to the transparency and accountability of public funds, with an emergency clause.

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

Section A. Section 37.850, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 33.087 and 37.850, to read as follows:

**33.087. 1. Every department and division of the state that receives any grant of federal funds of one million dollars or more shall document and make the following information easily available to the public on the Missouri accountability portal established in section 37.850:**

- (1) Any amount of funds it receives from the federal government;**
- (2) The name of the federal agency disbursing the funds;**
- (3) The purpose for which the funds are being received;**
- (4) The name of any state agency to which any portion of the funds are transferred by the initial receiving department or division, the amount transferred, and the purpose for which those funds are transferred; and**
- (5) The information provided to the department or division pursuant to subsection 2 of this section.**

**2. If a department or division receives a grant of federal funds and transfers a portion of such funds to another department or division, the department or division receiving the transferred funds shall report to the department or division from which the funds were**

19 transferred, an accounting of how the transferred funds were used and  
20 any statistical impact that can be discerned as a result of such usage.

21 **3. All information referred to in subsection 1 of this section shall**  
22 **be updated within thirty days of any receipt or transferal of funds.**

23 **4. All costs in administering subsections 1, 2, and 3 of this**  
24 **section shall be paid from the grant of federal funds received by the**  
25 **state department or division and shall not be paid by any amount of**  
26 **state funds appropriated to any department or division.**

27 **5. The office of administration shall promulgate rules to**  
28 **implement the provisions of this section. Any rule or portion of a rule,**  
29 **as that term is defined in section 536.010 that is created under the**  
30 **authority delegated in this section shall become effective only if it**  
31 **complies with and is subject to all of the provisions of chapter 536, and,**  
32 **if applicable, section 536.028. This section and chapter 536 are**  
33 **nonseverable and if any of the powers vested with the general assembly**  
34 **pursuant to chapter 536, to review, to delay the effective date, or to**  
35 **disapprove and annul a rule are subsequently held unconstitutional,**  
36 **then the grant of rulemaking authority and any rule proposed or**  
37 **adopted after August 28, 2012, shall be invalid and void.**

37.850. 1. The commissioner of administration shall maintain the  
2 Missouri accountability portal established in executive order 07-24 as a free,  
3 Internet-based tool allowing citizens to demand fiscal discipline and  
4 responsibility.

5 **2. The Missouri accountability portal shall consist of an easy-to-search**  
6 **database of financial transactions related to the purchase of goods and services**  
7 **and the distribution of funds for state programs.**

8 **3. The Missouri accountability portal shall be updated each state business**  
9 **day and maintained as the primary source of information about the activity of**  
10 **Missouri's government.**

11 **4. The governor shall submit a daily report stating all amounts**  
12 **withheld from the state's operating budget for the current fiscal year,**  
13 **as authorized by article IV, section 27 of the Missouri Constitution**  
14 **which shall be:**

- 15 **(1) Conspicuously posted on the accountability portal website;**  
16 **(2) Searchable by the amounts withheld from each individual**  
17 **fund; and**  
18 **(3) Searchable by the total amount withheld from the operating**

19 **budget.**

Section B. Because it is necessary to document and track the transference  
2 of public funds, section A of this act is deemed necessary for the immediate  
3 preservation of the public health, welfare, peace and safety, and is hereby  
4 declared to be an emergency act within the meaning of the constitution, and  
5 section A of this act shall be in full force and effect upon its passage and  
6 approval.

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Unofficial

Bill

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