

SECOND REGULAR SESSION

SENATE BILL NO. 833

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNEIDER.

Pre-filed December 17, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

3466S.011

AN ACT

To amend chapters 620 and 660, RSMo, by adding thereto two new sections relating to contract authority.

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

Section A. Chapters 620 and 660, RSMo, is amended by adding thereto two new sections, to be known as sections 620.012 and 660.013, to read as follows:

620.012. 1. Notwithstanding any other provision of law, when the department of economic development intends to enter into any contract or other written agreement or approve any letter of intent for payment of money by the state in excess of one hundred thousand dollars, modification or potential reduction of a party's financial obligation to the state in excess of one hundred thousand dollars, the department of economic development shall forward a copy to the attorney general before entering into that contract, subcontract or other written agreement or approving the letter of intent.

2. Upon receiving the contract, other written agreement or letter of intent, the attorney general shall, within ten days, review and approve that contract, other written contract or letter of intent for its legal form and content as may be necessary to protect the legal interest of the state. If the attorney general does not approve, then the attorney general shall return the contract, other written agreement or letter of intent with additional proposed provisions as may be necessary to the proper enforcement of the contract as required to protect the state's legal interest. If the attorney general does not respond within ten days or, in the case of any contract that involves a payment of money by the state or a modification or potential reduction of

a party's financial obligation to the state of one million dollars or more, within thirty days, the contract shall be deemed approved.

3. Communications related to the attorney general's review are attorney-client communications. The attorney general's written disposition shall be subject to chapter 610, RSMo.

660.013. 1. Notwithstanding any other provision of law, when the department of social services intends to enter into any contract or other written agreement or approve any letter of intent for payment of money by the state in excess of one hundred thousand dollars, modification or potential reduction of a party's financial obligation to the state in excess of one hundred thousand dollars, the department of social services shall forward a copy to the attorney general before entering into that contract, subcontract or other written agreement or approving the letter of intent.

2. Upon receiving the contract, other written agreement or letter of intent, the attorney general shall, within ten days, review and approve that contract, other written contract or letter of intent for its legal form and content as may be necessary to protect the legal interest of the state. If the attorney general does not approve, then the attorney general shall return the contract, other written agreement or letter of intent with additional proposed provisions as may be necessary to the proper enforcement of the contract as required to protect the state's legal interest. If the attorney general does not respond within ten days or, in the case of any contract that involves a payment of money by the state or a modification or potential reduction of a party's financial obligation to the state of one million dollars or more, within thirty days, the contract shall be deemed approved.

3. Communications related to the attorney general's review are attorney-client communications. The attorney general's written disposition shall be subject to chapter 610, RSMo.

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