

FIRST REGULAR SESSION

SENATE BILL NO. 527

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS NODLER AND BRAY.

Read 1st time February 26, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

2234S.02I

AN ACT

To repeal section 226.220, RSMo, and to enact in lieu thereof two new sections relating to the receipt, deposit, and allocation of federal highway funds.

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

Section A. Section 226.220, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 226.215 and 226.220, to read as
3 follows:

226.215. 1. **There is hereby created in the state treasury the**
2 **"Federal Highways and Bridge Fund", which shall consist of all moneys,**
3 **funds, and credits received from the United States government**
4 **intended for highways and bridges. Notwithstanding the provisions of**
5 **section 33.080, RSMo, to the contrary, moneys in the fund shall not be**
6 **transferred to the credit of the general revenue fund at the end of the**
7 **biennium. Interest and moneys earned on the fund shall be credited to**
8 **the fund. The state treasurer shall invest moneys in the fund in the**
9 **same manner as other funds are invested. Interest and moneys earned**
10 **on such investments shall be credited to the fund.**

11 2. **The full balance, or any portion thereof, of the federal**
12 **highways and bridge fund shall be available to be used by the highways**
13 **and transportation commission to carry out highway and bridge**
14 **construction, maintenance or repair activities or other highway or**
15 **bridge activities that are attached to the receipt of the federal funds**
16 **from the United States government, subject to appropriation.**

17 3. **No payments or transfers shall ever be made from the federal**
18 **highways and bridge fund except for an expenditure made:**

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

19 **(1) Pursuant to a lawful appropriation from the general**
20 **assembly;**

21 **(2) Under the supervision and direction of the state highways**
22 **and transportation commission; and**

23 **(3) For a purpose set forth in subparagraph (1), (2), (3), (4), or (5)**
24 **of section 30(b), article IV, of the Missouri constitution and which is**
25 **consistent with the conditions placed upon the receipt of the federal**
26 **funds by the United States government.**

 226.220. 1. There is hereby created and set up the "State Road Fund"
2 which shall receive all moneys and credits from

3 (1) The sale of state road bonds;

4 (2) [The United States government and intended for highway purposes;

5 (3)] The state road bond and interest sinking fund as provided in section
6 226.210; and

7 [(4)] **(3)** Any other source if they are held for expenditure by or under the
8 department of transportation or the state highways and transportation
9 commission and if they are not required by section 226.200 to be transferred to
10 the state highway department fund.

11 2. The costs and expenses withdrawn from the state treasury

12 (1) For locating, relocating, establishing, acquiring, reimbursing for,
13 constructing, improving and maintaining state highways in the systems specified
14 in article IV, section 30(b), of the constitution;

15 (2) For acquiring materials, equipment and buildings; and

16 (3) For other purposes and contingencies relating and appertaining to the
17 construction and maintenance of said highways shall be paid from the state road
18 fund upon warrants drawn by the state auditor, based upon bills of particulars
19 and vouchers preapproved and certified for payment by the commissioner of
20 administration and by the state highways and transportation commission acting
21 through such of their employees as may be designated by them.

22 3. No payments or transfers shall ever be made from the state road fund
23 except for an expenditure made

24 (1) Under the supervision and direction of the state highways and
25 transportation commission; and

26 (2) For a purpose set out in subparagraph (1), (2), (3), (4), or (5) of section
27 30(b), article IV, of the constitution.

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