

SECOND REGULAR SESSION

# SENATE BILL NO. 744

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4137S.011

## AN ACT

To repeal sections 109.400 and 109.410, RSMo, and to enact in lieu thereof one new section 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Section A. Sections 109.400 and 109.410, RSMo, are repealed and one new  
2 section enacted in lieu thereof, to be known as section 109.410, to read as follows:

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

9 2. The state treasurer shall be custodian of the Missouri state archives-St.  
10 Louis trust fund. Moneys in the fund shall be used exclusively for the planning,  
11 acquisition, construction, development, operation, or maintenance of the facility  
12 and programs authorized by section 109.400. No moneys obtained through the  
13 provisions of this section shall be made a part of the general operating budget of  
14 the state of Missouri, nor shall they be transferred into the general revenue fund.  
15 No moneys from the state general revenue fund shall be appropriated for the  
16 purposes of funding an archival facility located in any city not within a county as  
17 provided in sections 109.400 to 109.410. Notwithstanding section 33.080 to the  
18 contrary, any moneys remaining in the fund at the end of any biennium shall not  
19 revert to the credit of the general revenue fund. All yield, interest, income,

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

20 increment, or gain received from time deposit of moneys in the state treasury to  
21 the credit of the fund shall be credited to the fund. Notwithstanding any  
22 provision of law to the contrary, no amount of moneys in the fund shall be  
23 transferred from the fund or charged for purposes of the administration of central  
24 services for the state of Missouri.] **All unobligated funds in the Missouri**  
25 **state archives-St. Louis trust fund on January 1, 2021, shall be**  
26 **transferred to the general revenue fund.**

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

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

9 (2) To enter into contracts and agreements with public or  
10 private persons, partnerships, associations, entities, corporations,  
11 and cities, counties, and other subdivisions of the state of Missouri  
12 such as might be necessary to promote the planning, acquisition,  
13 construction, development, operation, or maintenance of such  
14 facility and its programs; and

15 (3) To receive any grants, gifts, bequests, rentals,  
16 contributions, moneys, or properties appropriated or otherwise  
17 designated for payment to the secretary of state for the planning,  
18 acquisition, construction, development, operation, or maintenance  
19 of such facility and its programs by municipalities, counties, state,  
20 or other political subdivisions or public agencies or by the federal  
21 government or any agency or officer thereof or from any other  
22 public or private source.

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

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