

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 271

101ST GENERAL ASSEMBLY

0195S.03C

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 50.166, RSMo, and to enact in lieu thereof ten new sections relating to expenditures of local governments.

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

Section A. Section 50.166, RSMo, is repealed and ten new
2 sections enacted in lieu thereof, to be known as sections
3 37.1090, 37.1091, 37.1092, 37.1093, 37.1094, 37.1095, 37.1096,
4 37.1097, 37.1098, and 50.166, to read as follows:

**37.1090. As used in sections 37.1090 to 37.1098, the
2 following terms mean:**

3 (1) "Expenditure", any monetary payment from a
4 municipality or county to any vendor including, but not
5 limited to, a payment, distribution, loan, advance,
6 reimbursement, deposit, or gift;

7 (2) "Municipality", a city, town, or village that is
8 incorporated in accordance with the laws of this state;

9 (3) "State entity", the general assembly; the supreme
10 court of Missouri; the office of an elected state official;
11 or an agency, board, commission, department, institution,
12 instrumentality, office, or other governmental entity of
13 this state, excluding municipalities, counties, institutions
14 of higher education, and any public employee retirement
15 system;

16 (4) "Vendor", any person, partnership, corporation,
17 association, organization, state entity, or other party that:

18 (a) Sells, leases, or otherwise provides equipment,
19 materials, goods, supplies, or services to a municipality or
20 county; or

21 (b) Receives reimbursement from a municipality or
22 county for any expense.

37.1091. The "Missouri Local Government Expenditure
2 Database" is hereby created and shall be maintained on the
3 Missouri accountability portal, established under section
4 37.850, by the office of administration. The database shall
5 be available on the office of administration website and
6 shall include information about expenditures made during
7 each fiscal year that begins after December 31, 2022. The
8 database shall be publicly accessible without charge.

37.1092. For each expenditure, the Missouri local
2 government expenditure database shall include the following
3 information:

4 (1) The amount of the expenditure;

5 (2) The date the expenditure was paid;

6 (3) The vendor to whom the expenditure was paid,
7 unless the disclosure of the vendor's name would violate a
8 confidentiality requirement, in which case the vendor may be
9 listed as confidential;

10 (4) The purpose of the expenditure; and

11 (5) The municipality or county that made the
12 expenditure or requested the expenditure be made.

37.1093. The Missouri local government expenditure
2 database shall provide:

3 (1) A record of all expenditures; and

4 (2) The ability to download information.

37.1094. 1. A municipality or county may choose to voluntarily participate in the Missouri local government expenditure database, or, if a requisite number of residents of a municipality or county request the municipality or county to participate, such jurisdiction shall participate in the Missouri local government expenditure database. The requisite number of residents requesting participation shall be five percent of the registered voters of such jurisdiction voting in the last general municipal election, as described under section 115.121, but in no case shall the requisite number be fewer than fifty residents. Residents may request participation by submitting a written letter by certified mail to the governing body of the municipality or county and the office of administration. Multiple residents may sign one letter, but the number of requests from residents shall include all requests from all letters received. Upon receiving such a letter, the municipality or county shall acknowledge receipt thereof to the resident and the office of administration within thirty days. After receiving the requisite number of requests, the municipality or county shall begin participating in the database but shall not be required to report expenditures incurred before one complete six-month reporting period described under subsection 2 of this section has elapsed.

2. Each municipality or county participating in the database shall provide electronically transmitted information to the office of administration, in a format the office requires, for inclusion in the Missouri local government expenditure database regarding each of the municipality's or county's expenditures biannually. Information regarding the first half of the calendar year shall be submitted before July thirty-first of such year.

33 Information regarding the second half of the calendar year
34 shall be submitted before January thirty-first of the year
35 immediately following such year.

36 3. Notwithstanding subsection 1 of this section, no
37 submission shall be required for any expenditures incurred
38 before January 1, 2023.

39 4. The office of administration shall provide each
40 municipality and county participating in the database with a
41 template, in the format described under section 37.1092, for
42 the purpose of uploading the data. The office of
43 administration shall have the authority to grant the
44 municipality or county access for the purpose of uploading
45 data.

46 5. Upon appropriation, the office of administration
47 shall provide financial reimbursement to any participating
48 municipality or county for actual expenditures incurred for
49 participating in the database.

37.1095. No later than one year after the Missouri
2 local government expenditure database is implemented, the
3 office of administration shall provide, on the office of
4 administration website, an opportunity for public comment on
5 the utility of the database.

37.1096. The Missouri local government expenditure
2 database shall not include any confidential information or
3 any information that is not a public record under the laws
4 of this state. However, the state shall not be liable for
5 the disclosure of a record in the Missouri local government
6 expenditure database that is confidential information or is
7 not a public record under the laws of this state.

37.1097. Each municipality or county that has a
2 website shall display on its website a prominent internet
3 link to the Missouri local government expenditure database.

37.1098. The office of administration may adopt rules
2 to implement the provisions of sections 37.1090 to 37.1098.
3 Any rule or portion of a rule, as that term is defined in
4 section 536.010, that is created under the authority
5 delegated in this section shall become effective only if it
6 complies with and is subject to all of the provisions of
7 chapter 536 and, if applicable, section 536.028. This
8 section and chapter 536 are nonseverable, and if any of the
9 powers vested with the general assembly pursuant to chapter
10 536 to review, to delay the effective date, or to disapprove
11 and annul a rule are subsequently held unconstitutional,
12 then the grant of rulemaking authority and any rule proposed
13 or adopted after August 28, 2021, shall be invalid and void.

50.166. 1. In all cases of claims allowed against the
2 county, and in all cases of grants, salaries, pay and
3 expenses allowed by law, the county clerk may fill in on a
4 form of warrant the amount due as approved by the county
5 commission and other necessary information. The form of the
6 warrant thus filled in by the county clerk may be
7 transmitted to the county treasurer. The warrant may be in
8 such form that a single instrument may serve as the warrant
9 and the county treasurer's draft or check, and may be so
10 designed that it is a nonnegotiable warrant when signed by
11 the county clerk and becomes a negotiable check or draft
12 after it has been signed by the county treasurer.

2. Upon request, the county treasurer shall have
14 access to any financially relevant document in the
15 possession of any county official for the purposes of
16 processing a warrant, unless such warrant is received in the
17 absence of a check then the county treasurer shall have
18 access to the information necessary to process the warrant.

19 3. No official of any county shall refuse a request
20 from the county treasurer for access to or a copy of any
21 document in the possession of a county official that is
22 financially relevant to his or her duties under section
23 50.330, except that any county official may redact, remove,
24 or delete any personal identifying information, including a
25 Social Security number, financial account numbers, medical
26 information, or any other personal identifying information,
27 before submission to the county treasurer.

28 4. No county treasurer shall refuse to release funds
29 for the payment of any properly approved expenditure.

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