

SECOND REGULAR SESSION

**SENATE JOINT RESOLUTION NO. 89**

**102ND GENERAL ASSEMBLY**

INTRODUCED BY SENATOR EIGEL.

5632S.02I

KRISTINA MARTIN, Secretary

**JOINT RESOLUTION**

Submitting to the qualified voters of Missouri, an amendment repealing sections 24 and 27 of article IV of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the state budget.

*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the  
2 state of Missouri, on Tuesday next following the first Monday  
3 in November, 2024, or at a special election to be called by  
4 the governor for that purpose, there is hereby submitted to  
5 the qualified voters of this state, for adoption or  
6 rejection, the following amendment to article IV of the  
7 Constitution of the state of Missouri:

Section A. Sections 24 and 27, article IV, Constitution  
2 of Missouri, are repealed and two new sections adopted in lieu  
3 thereof, to be known as sections 24 and 27, to read as follows:

Section 24. **1.** The governor shall, within thirty days  
2 after it convenes in each regular session, submit to the  
3 general assembly a budget for the ensuing appropriation  
4 period, containing the estimated available revenues of the  
5 state and a complete and itemized plan of proposed  
6 expenditures of the state and all its agencies, **and the**  
7 **itemized plan of proposed expenditures shall not exceed the**  
8 **estimated available revenues.** The governor shall not  
9 determine estimated available revenues of the state using  
10 any projection of new revenues to be created from proposed

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

11 legislation that has not been passed into law by the general  
12 assembly. Estimates of any unspent fund balances, without  
13 regard to actual or estimated revenues but accounting for  
14 all existing appropriations, that will constitute a surplus  
15 during the fiscal year immediately preceding the fiscal year  
16 or years for which the governor is recommending a budget,  
17 **[may] shall not** be included in the estimated revenue  
18 available for expenditure during the fiscal year or years  
19 for which the governor is recommending a budget. As used in  
20 this section, new revenues shall not include existing  
21 provisions of law subject to expiration during the ensuing  
22 appropriation period.

23 **2. For the purposes of subsection 1 of this section,**  
24 **"estimated available revenues" shall include all state**  
25 **revenues and federal funds, but shall not include the**  
26 **proceeds of any debt incurred pursuant to this constitution**  
27 **or state law, or any portion of federal funds obtained**  
28 **through debt incurred by the federal government.**

29 **3. The general assembly may, by general law, provide**  
30 **for the return to the taxpayers of any unspent fund balances**  
31 **that constitute a surplus during the fiscal year immediately**  
32 **preceding the fiscal year or years for which the governor is**  
33 **recommending a budget.**

Section 27. 1. The governor may control the rate at  
2 which any appropriation is expended during the period of the  
3 appropriation by allotment and **[may] shall** reduce the  
4 expenditures of the state or any of its agencies below their  
5 appropriations whenever the actual revenues are less than  
6 the revenue estimates upon which the appropriations were  
7 based. The governor shall not reduce any appropriation for  
8 the payment of principal and interest on the public debt.

9           2. The governor shall notify the general assembly by  
10 proclamation whenever the rate at which any appropriation  
11 shall be expended is not equal quarterly allotments, the sum  
12 of which shall be equal to the amount of the appropriation.  
13 Any rate of expenditure for any appropriation which is not  
14 equal quarterly allotments shall stand reconsidered in the  
15 chamber in which the bill that contained the appropriation  
16 originated. Such reconsideration shall be in the manner  
17 that a bill is reconsidered under article III, section 32.  
18 Either the general assembly that receives the proclamation  
19 or the next general assembly may reconsider the rate of  
20 expenditure. If the general assembly successfully  
21 reconsiders the rate of expenditure for the appropriation in  
22 question, the rate shall be assumed to be equal quarterly  
23 allotments. Such reconsideration may be at any time the  
24 general assembly is in session including sessions pursuant  
25 to article III, sections 20, 20(b), and 32 and article IV,  
26 section 9. Either the general assembly that receives the  
27 proclamation or the next general assembly may reconsider  
28 such allotment allocation change. Such reconsideration may  
29 be at any time the general assembly is in session including  
30 sessions pursuant to article III, sections 20, 20(b), and 32  
31 and article IV, section 9.

32           3. The governor shall notify the general assembly by  
33 proclamation when the governor reduces one or more items or  
34 portions of items of appropriation of money as a result of  
35 actual revenues being less than the revenue estimates upon  
36 which the appropriations were based. Each item or portions  
37 of items of appropriation of money shall stand reconsidered  
38 in the chamber in which the bill that contained the  
39 appropriation originated. Such reconsideration shall be in  
40 the manner that a bill is reconsidered under article III,

41 section 32. Either the general assembly that receives the  
42 proclamation or the next general assembly may reconsider  
43 such reduction. Such reconsideration may be at any time the  
44 general assembly is in session including sessions pursuant  
45 to article III, sections 20, 20(b), and 32 and article IV,  
46 section 9.

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