

SECOND REGULAR SESSION

SENATE JOINT RESOLUTION NO. 104

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR CRAWFORD.

5559S.02I

KRISTINA MARTIN, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 15 of article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to the state treasurer's ability to invest.

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, 2026, 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. Section 15, article IV, Constitution of
2 Missouri, is repealed and one new section adopted in lieu
3 thereof, to be known as section 15, to read as follows:

Section 15. The state treasurer shall be custodian of
2 all state funds and funds received from the United States
3 government. The department of revenue shall take custody of
4 and invest nonstate funds as defined herein, and other
5 moneys authorized to be held by the department of revenue.
6 All revenue collected and moneys received by the state which
7 are state funds or funds received from the United States
8 government shall go promptly into the state treasury. All
9 revenue collected and moneys received by the department of
10 revenue which are nonstate funds as defined herein shall be

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

promptly credited to the fund provided by law for that type of money. Immediately upon receipt of state or United States funds the state treasurer shall deposit all moneys in the state treasury in banking institutions selected by him and approved by the governor and state auditor, and he shall hold them for the benefit of the respective funds to which they belong and disburse them as provided by law. Unless otherwise provided by law, all interest received on nonstate funds shall be credited to such funds. The state treasurer shall determine by the exercise of his best judgment the amount of moneys in his custody that are not needed for current expenses and shall place all such moneys on time deposit, bearing interest, in banking institutions in this state selected by the state treasurer and approved by the governor and state auditor or in obligations of the United States government or any agency or instrumentality thereof maturing and becoming payable not more than **[five] seven** years from the date of purchase. In addition the treasurer may enter into repurchase agreements maturing and becoming payable within ninety days secured by United States Treasury obligations or obligations of United States government agencies or instrumentalities of any maturity, as provided by law. The treasurer may also invest in banker's acceptances issued by domestic commercial banks possessing the highest rating issued by a nationally recognized rating agency and in commercial paper issued by domestic corporations which has received the highest rating issued by a nationally recognized rating agency. **The treasurer may also invest in municipal securities possessing one of the five highest long term ratings or the highest short term rating issued by a nationally recognized rating agency and maturing and becoming payable not more than five years from**

43 **the date of purchase. The treasurer may also invest in**
44 **other reasonable and prudent financial instruments and**
45 **securities as otherwise provided by law.** Investments in
46 banker's acceptances and commercial paper shall mature and
47 become payable not more than one hundred eighty days from
48 the date of purchase, maintain the highest rating throughout
49 the duration of the investment and meet any other
50 requirements provided by law. The state treasurer shall
51 prepare, maintain and adhere to a written investment policy
52 which shall include an asset allocation plan limiting the
53 total amount of state money which may be invested in each
54 investment category authorized by this section. The
55 investment and deposit of state, United States and nonstate
56 funds shall be subject to such restrictions and requirements
57 as may be prescribed by law. Banking institutions in which
58 state and United States funds are deposited by the state
59 treasurer shall give security satisfactory to the governor,
60 state auditor and state treasurer for the safekeeping and
61 payment of the deposits and interest thereon pursuant to
62 deposit agreements made with the state treasurer pursuant to
63 law. No duty shall be imposed on the state treasurer by law
64 which is not related to the receipt, investment, custody and
65 disbursement of state funds and funds received from the
66 United States government. As used in the section, the term
67 "banking institutions" shall include banks, trust companies,
68 savings and loan associations, credit unions, production
69 credit associations authorized by act of the United States
70 Congress, and other financial institutions which are
71 authorized by law to accept funds for deposit or which in
72 the case of production credit associations, issues
73 securities. As used in this section, the term "nonstate
74 funds" shall include all taxes and fees imposed by political

75 subdivisions and collected by the department of revenue; all
76 taxes which are imposed by the state, collected by the
77 department of revenue and distributed by the department of
78 revenue to political subdivisions; and all other moneys
79 which are hereafter designated as "nonstate funds" to be
80 administered by the department of revenue.

Section B. Pursuant to chapter 116, and other
2 applicable constitutional provisions and laws of this state
3 allowing the general assembly to adopt ballot language for
4 the submission of this joint resolution to the voters of
5 this state, the official summary statement of this
6 resolution shall be as follows:

7 "Shall the Missouri Constitution be amended to:

- 8 • Allow the state treasurer to invest in
9 municipal securities possessing high credit
10 ratings; and
- 11 • Allow the state treasurer to invest in other
12 reasonable and prudent financial instructions
13 and securities as otherwise provided by law?".

✓