

SECOND REGULAR SESSION

HOUSE BILL NO. 2359

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BASYE.

4914H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 37.850 and 37.1090, RSMo, and to enact in lieu thereof two new sections relating to the Missouri accountability portal.

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

Section A. Sections 37.850 and 37.1090, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 37.850 and 37.1090, to read as follows:

37.850. 1. The commissioner of administration shall maintain the Missouri
2 accountability portal established in executive order 07-24 as a free, internet-based tool
3 allowing citizens to demand fiscal discipline and responsibility.

4 2. The Missouri accountability portal shall consist of an easy-to-search database of
5 financial transactions related to the purchase of goods and services, **including all forms of**
6 **compensation and benefits paid to or on behalf of employees**, and the distribution of funds
7 for state programs; all bonds issued by any public institution of higher education, **public**
8 **school district**, or political subdivision of this state or its designated authority after August
9 28, 2013; all obligations issued or incurred pursuant to section 99.820 by any political
10 subdivision of this state or its designated authority; and the revenue stream pledged to repay
11 such bonds or obligations; and all debt incurred by any public charter school.

12 3. The Missouri accountability portal shall be updated each state business day and
13 maintained as the primary source of information about the activity of Missouri's government.

14 4. Upon the conducting of a withholding or a release of funds, the governor shall
15 submit a report stating all amounts withheld from the state's operating budget for the current
16 fiscal year, as authorized by Article IV, Section 27 of the Missouri Constitution which shall
17 be:

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 (1) Conspicuously posted on the accountability portal website;
 19 (2) Searchable by the amounts withheld or released from each individual fund; and
 20 (3) Searchable by the total amount withheld or released from the operating budget.

21 5. Every political subdivision of the state, including public institutions of higher
 22 education ~~[but excluding]~~ **and public** school districts, shall supply all information described
 23 in subsection 2 of this section to the office of administration within seven days of issuing or
 24 incurring such corresponding bond or obligation. For all such bonds or obligations issued or
 25 incurred prior to August 28, 2013, every such political subdivision and public institution of
 26 higher education shall have ninety days to supply such information to the office of
 27 administration.

28 6. Every school district and public charter school shall supply all information
 29 described in subsection 2 of this section to the department of elementary and secondary
 30 education within seven days of issuing such bond, or incurring such debt. The department of
 31 elementary and secondary education shall have forty-eight hours to deliver such information
 32 to the office of administration. For all such bonds issued or debt incurred prior to August 28,
 33 2013, every school district and public charter school shall have ninety days to supply such
 34 information to the department of elementary and secondary education. The department of
 35 elementary and secondary education shall have forty-eight hours to deliver such information
 36 to the office of administration.

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

2 (1) **"Employee", any person regularly employed by a municipality or county**
 3 **who receives compensation from the municipality or county for personal services**
 4 **rendered the municipality or county, including any elected official of the municipality or**
 5 **county whose position requires his or her regular personal services and who is**
 6 **compensated wholly or in part on a fee basis, and including the employees of such**
 7 **elected fee officials who may be compensated by such elected fee officials. The term**
 8 **"employee" may include any elected county official.**

9 (2) "Expenditure", any monetary payment from a municipality or county to any
 10 vendor **or employee** including, but not limited to, a payment, distribution, loan, advance,
 11 reimbursement, deposit, ~~[or]~~ gift, **or any other form of compensation or benefit;**

12 ~~[(2)]~~ (3) "Municipality", a city, town, or village that is incorporated in accordance
 13 with the laws of this state;

14 ~~[(3)]~~ (4) "State entity", the general assembly; the supreme court of Missouri; the
 15 office of an elected state official; or an agency, board, commission, department, institution,
 16 instrumentality, office, or other governmental entity of this state, excluding municipalities,
 17 counties, institutions of higher education, and any public employee retirement system;

18 ~~(4)~~ (5) "Vendor", any person, partnership, corporation, association, organization,
19 state entity, or other party that:

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

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

✓