

SECOND REGULAR SESSION

# HOUSE BILL NO. 1363

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES FARES (Sponsor), BIVINS, HANAWAY, MOORE, JACKSON, SUTHERLAND, STEFANICK, WRIGHT, LEMBKE, PARKER, BEARDEN, THRELKELD, FRASER, NIEVES, PORTWOOD, DONNELLY, CORCORAN, SCHOEMEHL, SMITH (14), KRATKY, DAUS, JONES, GEORGE, BOYKINS, ICET, CARNAHAN, YAEGER, ST. ONGE, HILGEMANN, BYRD, SCHLOTTACH, PAGE, SPRENG, HOSKINS, THOMPSON, LIESE, VOGT, WALSH, LOWE, RUPP, DAVIS (19), DEMPSEY AND ZWEIFEL (Co-sponsors).

Read 1<sup>st</sup> time February 3, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4022L.02I

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### AN ACT

To amend chapter 109, RSMo, by adding thereto two new sections relating to an archival facility in St. Louis.

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

Section A. Chapter 109, RSMo, is amended by adding thereto two new sections, to be known as sections 109.400 and 109.410, to read as follows:

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

(1) To plan, acquire, construct, develop, operate and maintain, or to lease or sublease to or from others for acquisition, construction, development, operation, and maintenance, an archival facility in St. Louis City to preserve documents of legal, historical, and genealogical importance to the state, and to provide educational and outreach programs sponsored by the Missouri State Archives;

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

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

16 any other public or private source.

17           2. This section does not require any local agency, entity, or subdivision to transfer  
18 any records to the state archives.

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

**2. The state treasurer shall be custodian of the Missouri state archives - St. Louis  
10 trust fund and shall make disbursements from the fund in accordance with sections 30.170  
11 and 30.180, RSMo. Moneys in the fund shall be used exclusively for the planning,  
12 acquisition, construction, development, operation, or maintenance of the facility and  
13 programs authorized by section 109.400, RSMo. No moneys obtained through the  
14 provisions of this section shall be made a part of the general operating budget of the state  
15 of Missouri, nor shall they be transferred into the general revenue fund. Notwithstanding  
16 section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of any  
17 biennium shall not revert to the credit of the general revenue fund. All yield, interest,  
18 income, increment, or gain received from time deposit of moneys in the state treasury to  
19 the credit of the fund shall be credited to the fund. Notwithstanding any provision of law  
20 to the contrary, no amount of moneys in the fund shall be transferred from the fund or  
21 charged for purposes of the administration of central services for the state of Missouri.**