

HOUSE AMENDMENT NO. ____
TO
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Offered By

AMEND House Amendment No. ____ to House Committee Substitute for Senate Bill No. 544,
Page 1, Line 1, by inserting after the number "544," the following:

"Section 37.965, Lines 1-11, by deleting all of said lines and inserting in lieu thereof the following:

"37.965. 1. This section shall be known and may be cited as the "Cost Openness and
Spending Transparency Act", or the "COST Act".

2. For purposes of this section, the term "state moneys" shall mean a direct appropriation
from the general assembly and approved by the governor to a state department or agency or any
moneys received by a political subdivision from the general revenue fund.

3. (1) When issuing statements, press releases, or any other documents describing projects
or programs exceeding fifty thousand dollars which are funded in whole or in part with state
moneys, a state department, state agency, or political subdivision receiving state moneys shall
clearly state in such statement, press release, or document the following:

(a) The percentage of the total costs of the project or program that will be financed with
state moneys; and

(b) The dollar amount of state moneys used for the project or program.

(2) The provisions of this section shall not apply to electronic communications containing
not more than two hundred eighty characters."; and

Further amend said bill, Page 7, Section 37.1098, Line 9, by inserting after all of said section and
line the following:

"37.1190. 1 As used in this section, the following terms mean:

(1) "CARES Act", the Coronavirus Aid, Relief, and Economic Security Act of 2020, Pub. L.
116-136;

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

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

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

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1 (5) "Vendor", any person, partnership, corporation, association, organization, state entity, or
2 other party that:

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

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

6 2. The "Missouri Local Government CARES Act Expenditure Database" is hereby created
7 and shall be maintained on the Missouri accountability portal, established under section 37.850, by
8 the office of administration. The database shall be available on the office of administration website
9 and shall include information about expenditures made with funds appropriated as a result of the
10 CARES Act. The database shall be publicly accessible without charge.

11 3. For each expenditure made with funds received under the CARES Act, the Missouri local
12 government CARES Act expenditure database shall include the following information:

13 (1) The amount of the expenditure;

14 (2) The date the expenditure was paid;

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

18 (4) The purpose of the expenditure; and

19 (5) The municipality or county that made the expenditure or requested the expenditure be
20 made.

21 4. (1) Every municipality and county shall provide electronically transmitted information to
22 the office of administration, in a format the office requires, for inclusion in the Missouri local
23 government CARES Act expenditure database regarding each of the municipality's or county's
24 expenditures made with funds appropriated as a result of the CARES Act biannually. All
25 information regarding expenditures made between January first and June thirtieth shall be submitted
26 before July thirty-first of such year. Information regarding expenditures made between July first
27 and December thirty-first shall be submitted before January thirty-first of the year immediately
28 following such year.

29 (2) The office of administration shall provide each municipality and county with a template
30 of the form to be used for the purpose of uploading the information required to be reported pursuant
31 to this section. The office of administration shall have the authority to grant the municipality or
32 county access to the database for the purpose of uploading data.

33 (3) Subject to appropriation, the office of administration shall provide financial
34 reimbursement to any participating municipality or county for actual expenditures incurred for
35 participating in the database.

36 5. Not later than one year after the Missouri local government CARES Act expenditure
37 database is implemented, the office of administration shall provide, on the office of administration
38 website, an opportunity for public comment on the utility of the database.

39 6. The Missouri local government CARES Act expenditure database shall not include any
40 confidential information or any information that is not a public record under chapter 610. However,
41 the state shall not be liable for the disclosure of a record in the Missouri local government CARES
42 Act expenditure database that is confidential information or is not a public record under chapter 610.

43 7. Each municipality or county that has a website shall display on its website a prominent
44 internet link to the Missouri local government CARES Act expenditure database.

45 8. The office of administration may adopt rules to implement the provisions of this section.
46 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
47 authority delegated in this section shall become effective only if it complies with and is subject to all
48 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
49 are nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536

1 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held
2 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
3 August 28, 2020, shall be invalid and void."; and
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5 Further amend said bill,"; and
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7 Further amend said amendment, Page 5, Line 8, by inserting after all of said line the following:
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9 "Further amend said bill, Page 90, Section D, Line 4, by inserting after all of said section and line
10 the following:
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12 "Section E. Because of the need to ensure transparency in the expenditure of funds from
13 CARES Act, the enactment of section 37.1190 of this act is deemed necessary for the immediate
14 preservation of the public health, welfare, peace and safety, and is hereby declared to be an
15 emergency act within the meaning of the constitution, and the enactment of section 37.1190 of this
16 act shall be in full force and effect upon its passage and approval."; and"; and
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18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.
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21 THIS AMENDS 4115H03.09H