

SECOND REGULAR SESSION

# HOUSE BILL NO. 1899

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HENDERSON.

4484H.011

DANA RADEMAN MILLER, Chief Clerk

## AN ACT

To repeal section 217.195, RSMo, and to enact in lieu thereof one new section relating to the inmate canteen fund.

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

Section A. Section 217.195, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 217.195, to read as follows:

217.195. 1. With the approval of ~~[his division]~~ **the director of the department of corrections**, the chief administrative officer of any correctional center ~~[operated by the division]~~ may establish and operate a canteen or commissary for the use and benefit of the offenders.

2. **For moneys collected and expended for a canteen or commissary before August 28, 2020, the following provisions shall apply:**

(1) Each correctional center shall keep revenues received from the canteen or commissary established and operated by the correctional center in a separate account. The acquisition cost of goods sold and other expenses shall be paid from this account. A minimum amount of money necessary to meet cash flow needs and current operating expenses may be kept in this account[-] ;

(2) The remaining funds from sales of each commissary or canteen shall be deposited monthly in a special fund to be known as the "Inmate Canteen Fund" which is hereby created and shall be expended by the appropriate division, for the benefit of the offenders in the improvement of recreational, religious, or educational services[-] ;

(3) The provisions of section 33.080 to the contrary notwithstanding, the money in the inmate canteen fund shall be retained for the purposes specified in this section and shall not revert or be transferred to general revenue[-] ; **and**

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           (4) The department shall keep accurate records of the source of money deposited in the  
19 inmate canteen fund and shall allocate appropriations from the fund to the appropriate  
20 correctional center.

21           **3. (1) There is hereby created in the state treasury the "Inmate Canteen Fund",**  
22 **which shall consist of moneys collected under this section. The state treasurer shall be**  
23 **custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer**  
24 **may approve disbursements. The fund shall be a dedicated fund, and, upon appropriation,**  
25 **moneys in the fund shall be used solely for the administration of subdivision (4) of this**  
26 **subsection.**

27           **(2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys**  
28 **remaining in the fund at the end of the biennium shall not revert to the credit of the**  
29 **general revenue fund.**

30           **(3) The state treasurer shall invest moneys in the fund in the same manner as other**  
31 **funds are invested. Any interest and moneys earned on such investments shall be credited**  
32 **to the fund.**

33           **(4) The inmate canteen fund shall be used to collect all revenue and pay operating**  
34 **expenses of the inmate canteens. The proceeds generated from the operation of the inmate**  
35 **canteens or commissaries shall be expended solely for the benefit of the offenders in the**  
36 **improvement of recreational, religious, educational, or reentry services.**

37           **4. On August 28, 2020, the unexpended balance in any inmate canteen fund**  
38 **established under subsection 2 of this section shall be transferred to the inmate canteen**  
39 **fund established under subsection 3 of this section, and all inmate canteen funds**  
40 **established under subsection 2 of this section shall be abolished.**

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