

SECOND REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 1868

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SCHARNHORST.

4774L.01P

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 37.320 and 109.250, RSMo, and to enact in lieu thereof two new sections relating to the state records commission.

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

Section A. Sections 37.320 and 109.250, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 37.320 and 109.250, to read as follows:

37.320. 1. The commissioner of administration shall appoint a director as the executive  
2 head of the unit. The director must be experienced in the principles of information and forms  
3 management, archives, and the affairs and organization of state government. **He or she** shall be  
4 a person who is qualified by training and experience to administer the affairs of the unit.

5 2. The director shall appoint such staff as may be necessary to implement the provisions  
6 of sections 37.300 to 37.390, 109.250 and 181.100 to 181.110, RSMo. All staff members shall  
7 be appointed pursuant to the provisions of chapter 36, RSMo.

8 [3. The director shall also serve as an additional voting member of the state records  
9 commission established by the provisions of section 109.250, RSMo.]

109.250. 1. There is hereby created the "State Records Commission". It shall consist of  
2 the following members: the secretary of state, or his **or her** authorized representative, who shall  
3 act as [chairman] **chairperson**; the attorney general, or his **or her** authorized representative; the  
4 state auditor, or his **or her** authorized representative; [the director of the forms management unit  
5 appointed pursuant to section 37.320, RSMo] **the commissioner of the office of**  
6 **administration, or his or her authorized representative**; a member of the house of

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.

7 representatives appointed by the speaker of the house; a member of the senate appointed by the  
8 president pro tem of the senate; the director of the state historical society; and the chief  
9 information officer. The director of the records management and archives service will serve as  
10 secretary to the commission. While serving as secretary to the commission, he **or she** shall have  
11 no vote on matters considered by the commission.

12         2. It shall be the duty of the commission to determine what records no longer have any  
13 administrative, legal, research, or historical value and should be destroyed or disposed of  
14 otherwise. The commission will prescribe the procedures for compiling and submitting to the  
15 commission lists and schedules of records proposed for disposal and the procedures for the  
16 physical destruction or other disposition of records. Procedures prescribed by the commission  
17 will be promulgated by the director of the records management and archives service, only upon  
18 written approval of the commission.

19         3. The commission shall meet whenever called by the [chairman] **chairperson**.

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