

HB 1236 -- STATE FISCAL MANAGEMENT (Smith (163))

COMMITTEE OF ORIGIN: Standing Committee on Budget

This bill creates or modifies numerous provisions of law regarding state fiscal management.

FUNDS FROM THE AMERICAN RESCUE PLAN ACT OF 2021 (Sections 30.1020, 30.1022, 30.1024, 30.1026, 30.1028, 30.1030, 30.1032, and 30.1034, RSMo)

This bill establishes numerous funds which will consist of all moneys received in the state treasury under the American Rescue Plan Act of 2021, or any subsequent economic stimulus or budget stabilization plan as enacted by the 117th United States Congress on or after March 1, 2021, and on or before December 31, 2021, for programs which are to be administered from funding to the state from the American Rescue Plan Act of 2021.

The funds established in this bill are:

- (1) "Coronavirus State Fiscal Recovery Fund";
- (2) "Coronavirus Local Government Fiscal Recovery Fund";
- (3) "Coronavirus Capital Projects Fund";
- (4) "FMAP Enhancement- 2021 Fund";
- (5) "Department of Elementary and Secondary Education Federal Emergency Relief- 2021 Fund";
- (6) "Department of Higher Education and Workforce Development Federal Emergency Relief- 2021 Fund";
- (7) "Housing Assistance Federal Stimulus- 2021 Fund";
- (8) "Department of Elementary and Secondary Education Federal Stimulus- 2021 Fund
- (9) "Department of Higher Education and Workforce Development Federal Stimulus - 2021 Fund";
- (10) "Department of Revenue Federal Stimulus - 2021 Fund";
- (11) "Department of Transportation - 2021 Fund";
- (12) "Office of Administration Federal Stimulus - 2021 Fund";

- (13) "Department of Agriculture Federal Stimulus - 2021 Fund";
- (14) "Department of Natural Resources Federal Stimulus - 2021 Fund";
- (15) "Department of Economic Development Federal Stimulus - 2021 Fund";
- (16) "Department of Labor and Industrial Relations Federal Stimulus - 2021 Fund";
- (17) "Department of Public Safety Federal Stimulus - 2021 Fund";
- (18) "Department of Corrections Federal Stimulus - 2021 Fund";
- (19) "Department of Mental Health Federal Stimulus - 2021 Fund";
- (20) "Department of Health and Senior Services Federal Stimulus - 2021 Fund"; and the
- (21) "Department of Social Services Federal Stimulus - 2021 Fund".

GENERAL REVENUE FUND (Section 33.543)

Currently, all moneys received by this state must be deposited in the General Revenue Fund, unless required by statute or Constitutional provision to be deposited in some other specifically named fund.

As specified in this bill, an appropriation act can require moneys received by this state to be deposited in some other specifically named fund.

Additionally, this bill prohibits a fund to be created within the State Treasury that is not created by and named in the Constitution, statute, or an appropriations act. An appropriations act may create one or more new funds in the State Treasury, and direct the deposit of certain moneys into specific funds, provided that such deposit does not conflict with the Constitution or statute, and further provided that an appropriation is made from each fund in an appropriations act for which a deposit is directed in such appropriations act.

This bill has an emergency clause.