

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 178

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MAYHEW.

6793H.011

JOSEPH ENGLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment to Article III of the Constitution of Missouri, by adopting one new section relating to funding of local governments.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next
2 following the first Monday in November, 2026, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to Article III of the Constitution of the state
5 of Missouri:

Section A. Article III, Constitution of Missouri, is amended by adopting one new
2 section, to be known as Section 54, to read as follows:

**Section 54. 1. Any bill introduced in the general assembly that creates or
2 modifies a local mandate shall include a local government fiscal impact statement prior
3 to committee consideration.**

2. The fiscal impact statement required by subsection 1 of this section shall:

(1) Identify all categories of local governments affected;

**(2) Estimate anticipated costs for each affected type of local government,
7 including administrative, staffing, operational, and compliance costs;**

(3) Distinguish between one-time and ongoing costs; and

(4) Identify the source and sufficiency of any proposed state funding or support.

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.

10 **3. No bill subject to this section shall be voted out of committee unless the fiscal**
11 **impact statement has been filed and made publicly available.**

12 **4. No local government shall be required to implement or administer a local**
13 **mandate unless state funding has been made available to such local government for the**
14 **implementation or administration of the mandate.**

15 **5. If state funding is not appropriated, insufficient, or not yet available to a**
16 **particular local government, implementation or administration of the mandate by the**
17 **local government shall be suspended until such funding becomes available. Suspension**
18 **of implementation under this section shall:**

19 **(1) Apply only to the affected local government;**

20 **(2) Not invalidate the underlying state law; and**

21 **(3) Not constitute noncompliance or violation by the local government.**

22 **6. Any state law requiring local administration or enforcement shall include:**

23 **(1) Clear statutory definitions;**

24 **(2) Uniform forms, procedures, or reporting requirements, where applicable;**

25 **(3) Reasonable compliance timelines; and**

26 **(4) Identification of the state agency responsible for providing guidance and**
27 **technical assistance.**

28 **7. A local government shall not be required to implement or administer a**
29 **mandate until standards are issued and applicable state funding is available under the**
30 **provisions of subsection 6 of this section.**

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