

SECOND REGULAR SESSION

# HOUSE BILL NO. 3510

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MARTIN.

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JOSEPH ENGLER, Chief Clerk

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## AN ACT

To repeal section 29.221, RSMo, and to enact in lieu thereof one new section relating to powers of the state auditor.

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

Section A. Section 29.221, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 29.221, to read as follows:

29.221. 1. The auditor shall provide various means to receive reports of allegations of improper governmental activities, which shall include a telephone hotline, electronic mail, and internet access. The auditor shall periodically publicize the hotline telephone number, electronic mail address, internet website address, and any other means by which the auditor may receive reports of allegations of improper governmental activities. Individuals who make a report under this section may choose to remain anonymous until the individual affirmatively consents to having the individual's identity disclosed.

2. The auditor shall receive and initially review reports of allegations of improper governmental activities of state agencies, political subdivisions, or state or political subdivision officers or employees within the scope of authority set forth in this section, including misappropriation, mismanagement, waste of resources, fraud, or violations of state or federal law, rule or regulation. After conducting an initial review, the auditor may investigate those allegations the auditor deems to be credible. When the auditor believes that an allegation of improper governmental activity is outside the authority set forth in this section, the auditor shall refer the allegation to the appropriate state agency responsible for the enforcement or administration of the matter for investigation. When the auditor believes

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.

17 that an allegation of improper governmental activity involves matters set forth in this  
18 subsection, those matters shall be referred as follows:

19 (1) Allegations of criminal misconduct to either the attorney general or the  
20 prosecuting attorney for the county where the alleged misconduct occurred;

21 (2) Allegations of violations of sections 105.450 to 105.496 to the Missouri ethics  
22 commission;

23 (3) Allegations of violations of chapter 115 to the appropriate election authority or the  
24 secretary of state.

25 **3. In instances where a state agency shall subgrant or allocate public funds to**  
26 **local governments, regional councils of government, other local groups, or private or**  
27 **semiprivate institutions or agencies, the auditor shall have the authority to examine the**  
28 **books and records of such recipient entities to the extent necessary to supervise the**  
29 **receipt and expenditure of public funds and to determine proper use in accordance with**  
30 **state and federal laws and regulations.**

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