

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Office of Administration, PO Box 809, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 1—OFFICE OF ADMINISTRATION  
Division 35—Division of Facilities Management  
Chapter 2—Leasing**

**PROPOSED RESCISSION**

**1 CSR 35-2.010 Rule Objectives.** This rule stated the objectives of the rules of the Office of Administration pertaining to the procedures for procuring and managing property leased from others, and for leasing excess property to others.

*PURPOSE: This rule is being rescinded and combined with other established rules 1 CSR 35-2.020, 1 CSR 35-2.030, 1 CSR 35-2.040, and 1 CSR 35-2.050.*

*AUTHORITY: section 34.030, RSMo 1994. Original rule filed April 15, 1998, effective Nov. 30, 1998. Rescinded: Filed Nov. 30, 2018.*

*PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

*PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

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**Title 1—OFFICE OF ADMINISTRATION  
Division 35—Division of Facilities Management  
Chapter 2—Leasing**

**PROPOSED RESCISSION**

**1 CSR 35-2.020 Definitions.** This rule defined terms as used in rules 1 CSR 35-2.010 through 1 CSR 35-2.050 for procuring and managing leased real property.

*PURPOSE: This rule is being rescinded and streamlined with other related rules 1 CSR 35-2.010, 1 CSR 35-2.030, 1 CSR 35-2.040, and 1 CSR 35-2.050.*

*AUTHORITY: section 34.030, RSMo 1994. Original rule filed April 15, 1998, effective Nov. 30, 1998. Rescinded: Filed Nov. 30, 2018.*

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**Title 1—OFFICE OF ADMINISTRATION  
Division 35—Division of Facilities Management  
Chapter 2—Leasing**

**PROPOSED AMENDMENT**

**1 CSR 35-2.030 [Administration of the Leasing Process] Procurement and Management of Leased Real Property.** The Division of Facilities Management, Design and Construction is amending the title, amending the purpose statement, amending existing sections (1)–(3), deleting section (4), adding new sections (1) and (5)–(18), and renumbering.

*PURPOSE: This amendment deletes the exceptions in section (4) regarding the carrying of weapons in leased facilities and, in its place, enacts a new section (18) that incorporates the exceptions in 1 CSR 35-1.050(5), "Weapons Capable of Lethal Use Prohibited; Exceptions." This amendment also adds language currently found in other regulations in this chapter, which are in the process of being rescinded.*

*PURPOSE: This rule establishes the Office of Administration as the agency of authority and responsibility for procuring and managing leased real property, and establishes uniform procedures for procuring and managing leased real property.*

**(1) As used in this regulation—**

**(A) "Agency"** means any organizational unit of state government, with the exception of the General Assembly, elected officials, the judiciary, Missouri Department of Conversation, Missouri Department of Transportation, institutions of higher education, and bodies corporate and politic;

**(B) "Leased premises"** means the property being or to be leased;

**(C) "Lessor"** means the landlord, owner, or agent of the owner of the leased premises;

**(D) "Lessee"** means the state of Missouri;

**(E) "Tenant/using agency"** means the organizational unit of state government which occupies the leased premises;

**(F) "Premises"** means all land, buildings, and equipment furnished as part of the property leased to the state;

**(G) "Request for Proposal (RFP)"** means a document describing the particular specifications the facility must comply with and the terms and conditions of the contract; and

**(H) "Lease"** means the documents formalizing and binding the lessor and the lessee. Contract documents include the signed request for proposal, any amendments thereto, and the counter-signed award page.

*[(1)](2) The [c]Commissioner of [a]Administration is the exclusive representative of the state of Missouri in all real estate leasing transactions except as otherwise provided in this chapter. Neither the tenant/using agency nor any individual, organization or group, other than the [c]Commissioner of [a]Administration, shall have authority to obligate the state of Missouri in real estate leasing transactions in any form.*

*[(2)](3) The tenant/using agency [shall have] has primary responsibility for managing the day-to-day operation of the leased premises, but [shall have] has no authority to waive or modify provisions of the bid specifications or the terms and conditions of the lease. The tenant/using agency shall provide the [c]Commissioner of [a]Administration with written documentation of any problems,*