



Rules of
Office of Administration
Division 35—Division of Facilities Management
Chapter 1—Facility Maintenance and Operation

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**Title 1—OFFICE OF
ADMINISTRATION**

**Division 35—Division of Facilities
Management**

**Chapter 1—Facility Maintenance and
Operation**

1 CSR 35-1.050 Public Use of State Facilities

PURPOSE: This rule establishes the standards and procedures concerning the public use of certain state facilities.

(1) Facilities Subject to this Rule; Definitions.

(A) This rule governs public use of the Capitol Building and grounds, as defined in subsection (1)(B) hereof, and of other public buildings and grounds, as defined in subsection (1)(D) hereof.

(B) As used in this rule, the term “Capitol Building and grounds” means the first floor of the Capitol rotunda, the museum area, corridors, restrooms and all other common areas on the first floor of the Capitol Building, the south steps of the Capitol Building, the circular drive and the Capitol grounds. The Capitol grounds, as shown on Appendix A included herein, extend to High Street on the south and to Jefferson Street on the east, but do not include Parking Lots Number 1, 2, 4 and 15A, nor the Highway and Transportation Building and its grounds nor the buildings and grounds known as “Lohman’s Landing.”

(C) Regulations governing the public use of the Capitol Building and grounds are set forth in section (4) of this rule.

(D) Other Public Buildings and Grounds.

1. As used in this rule, the term “other public buildings and grounds” means all property, except the Capitol Building and grounds, and except the Governor’s Mansion and its grounds, which is owned, leased or occupied by an agency of the state of Missouri.

2. It includes, but is not limited to, the following: the Jefferson Building, the Broadway Building, the Supreme Court Building, the Environmental Control Center, the Harry S Truman Office Building, the E.D.P. Building, the Health Lab, and the Missouri State Information Center, all in Jefferson City; the Wainwright State Office Building and the Midtown State Office Building in St. Louis; the Kansas City State Office Building; the St. Joseph State Office Building; the Springfield State Office Complex; and all parking lots or parking structures on the said sites. Drawings showing the property lines of these sites are included herein as Appendix A to this rule.

3. In the case of multi-tenant buildings, the term “other public buildings and grounds” includes only the offices occupied by agencies of the state of Missouri and those portions of the common areas.

(E) Regulations concerning the public use of other public buildings and grounds which are occupied by agencies of the state of Missouri, are set forth in section (2) of this rule.

(F) Regulations concerning the public use of other public buildings and grounds, which are not occupied by agencies of the state of Missouri are set forth in section (3) of this rule.

(G) As used in this rule, the term “facility manager” means the individual designated by the director of the Division of Facilities Management to manage a facility.

(H) As used in this rule, the term “grounds” means the land lying between a public building and the property line of the land on which the building is situated.

(I) As used in this rule, the term “quasi-public governmental body” means any person, corporation or partnership organized or authorized to do business in Missouri under the provisions of Chapter 352, 353, or 355, RSMo, or an unincorporated association which either:

1. Has as its primary purpose to enter into contracts with public governmental bodies, or to engage primarily in activities carried out pursuant to an agreement or agreements with public governmental bodies; or

2. Performs a public function, as evidenced by a statutorily based capacity to confer or otherwise advance, through approval, recommendation or other means, the allocation or issuance of tax credits, tax abatement, public debt, tax-exempt debt, rights of eminent domain, or the contracting of leaseback agreements on structures whose annualized payments commit public tax revenues; or any association that directly accepts the appropriation of money from a public governmental body.

(2) Public Use of Other Public Buildings and Grounds Occupied by State Agencies.

(A) General Rule.

1. The use of other public buildings and grounds which are occupied by agencies of the state of Missouri shall be restricted to the conduct of state business and to other activities whose principal purpose is to improve the efficiency of a state agency in achieving its objectives or is to promote the health, safety, welfare, morale, education or training of state employees.

2. Such activities may include, but are not limited to: the usual business of state government, agency staff meetings, governmen-

tal task force meetings, safety meetings, employee education classes, seminars and training sessions sponsored by state institutions for the benefit of the public, employee-of-the-month recognitions, ceremonies to recognize retiring state employees, holiday luncheons for state employees, Missouri State Employees Charitable Campaign meetings, employee wellness programs, and the like.

(B) Prohibited Activities. The following activities and conditions are not permitted in the common areas of any of the other public buildings and grounds which are occupied by a state agency:

1. Purely private social events, such as weddings, regardless of the type or content;

2. Commercial activities, including soliciting the sale of any goods or services and any other activities undertaken for the primary purpose of obtaining a financial return for the benefit of an individual or organization, whether organized for profit or not; except that this paragraph shall not prohibit vendors from soliciting state employees for the purpose of effecting sales of the vendors’ products or services, if the products or services are offered to the state, or if they are offered to employees through a state-sponsored program;

3. Solicitation of any kind, including the solicitation of contributions, gifts or donations, the solicitation of signatures on petitions, and the solicitation of support for any political candidate or cause, except as otherwise specifically authorized in this rule;

4. The distribution of any leaflets or other materials, except for such materials as are distributed by the facility manager, and except that certified employee bargaining units may distribute written materials in the common areas of the buildings where the members of their unit are employed, if authorized by the facility manager to do so;

5. Any activity that obstructs the free ingress or egress of those wishing to enter or leave the public building;

6. A sound level, noise, or any other activity that disrupts the business of government in the public building;

7. Camping, including the use of the grounds for living accommodation purposes such as sleeping activities, making preparations for sleeping activities, making preparations to sleep (including the placement of bedding for the purpose of sleeping), storing personal belongings, making any fire, using any tents or other shelters for sleeping, doing any digging or earth-breaking or carrying on cooking activities;

8. The service or consumption of alcoholic beverages;



9. Guns or weapons of any kind, except as authorized in section (5) of this rule;

10. Wood, metal or plastic poles or standards shall not be used to support signs or banners and shall not be brought into the public building or onto the grounds;

11. Any other activity that presents a significant likelihood of damage to the public building; or

12. Any activity that is a violation of federal, state or local law.

(C) Conference Rooms and Meeting Rooms.

1. Permission required. Usage of the conference rooms and meeting rooms in other public buildings, other than those inside the office suite of an agency, shall be restricted to entities and instrumentalities of the state, federal and local governments and to quasi-public governmental bodies, as defined in section (1) of this rule, and shall require the permission of the facility manager.

2. Application for permission. Applications for permission to use conference rooms and meeting rooms shall include the following information, if required by the facility manager:

A. The full name, mailing address and telephone number of the person or organization sponsoring the proposed activity and of an individual who agrees to accept responsibility for supervising the proposed activity;

B. The purpose of the activity or meeting;

C. A description of the proposed activity and an estimate of the number of persons who will participate in the proposed activity;

D. The time and date requested for the activity;

E. Whether food or beverage will be consumed or permitted at the activity, and if so, a description of the food and beverage, and the methods used to serve it and to ensure cleanliness; and

F. A description of the equipment and services that will be required, such as chairs, podiums, microphones, easels and audiovisual equipment.

3. Grant of permission. The facility manager shall respond to all requests for permission to use a conference room or meeting room as promptly as possible. The facility manager shall grant permissions, on a first-come, first-served basis to those persons or organizations who comply with the requirements of this rule, except that state agencies may be given preference over other applicants. If permission is denied for any reason, the facility manager shall issue to the applicant a written denial, including an explanation of the reason for the denial.

4. Conditions for grants of permission to use conference rooms and meeting rooms. The grants of permission to use conference rooms and meeting rooms are subject to the following conditions:

A. The facility manager may impose such conditions concerning the service of food and drink as are reasonably necessary to ensure the cleanliness of the facility and good sanitation practices.

B. Services normally provided at the building for which the permit is issued shall be provided to the permittee without charge. However the facility manager may impose reasonable charges for the cost of any food or drink, utilities, supporting physical arrangements, security or other personnel, or equipment over and above the services normally provided at the building during the time of the activity. The facility manager may waive such costs for government entities or if it is not practicable to identify the amount of the additional costs or if the amount is insignificant. The facility manager may require a deposit in the amount of the estimated additional costs before issuing a permit.

C. Permittees shall conduct their activity in strict compliance with this rule, the statements contained in their application for permit, and any restrictions on the activity which are imposed by the facility manager and are listed on the permit.

5. The facility manager may disapprove any application and may cancel an issued permit, even after the applicant has begun using the facility, and may remove the applicant from the facility if the application is false or incomplete or if the applicant fails to comply with the conditions specified in the permit or with the provisions of this rule.

6. The facility manager shall also have the authority to: reserve conference rooms and meeting rooms for official government business on specified days; preempt an approved use of a conference room or meeting room to allow for official government business; and set conference rooms and meeting rooms aside for maintenance, construction or repair on specified days.

(D) Parking Lots.

1. Use on business days. Between the hours of 6:00 a.m. and 7:00 p.m. on every business day, the parking lots which are part of the other public buildings and grounds occupied by state agencies, shall be reserved for the use of the employees and clients of the occupying agencies and for visitors conducting business with the occupying agencies. Public use of the parking lots shall not be permitted on such days.

2. Use at other times.

A. At all other times, these parking lots shall be made available to the employees, clients and visitors of the occupying agency, for the conduct of state business, unless contractual obligations of the state prohibit such use.

B. Any other persons who wish to use a parking lot on a nonbusiness day must submit a written request for permission to do so. Permits may only be issued to: applicants who hold a parade permit issued by the local governmental authority and who wish to use the parking lot as a staging area; state or local governmental and quasi-governmental entities for their use in programs to promote public health and safety, such as driver training, bicycle safety, fire safety and the like; or others for the purposes and objectives described in subsection (2)(A). Commercial activities and solicitation shall not be permitted in the parking lots at any time. If an emergency arises which requires that the state have the use of the parking lot, the facility manager may cancel a permit, even after it has been issued.

(E) Other Common Areas.

1. For purposes of this rule, "other common areas" include the sidewalks, lawns, plazas and entrances to other public buildings, and the hallways, restrooms and other public facilities inside such other public buildings.

2. The use of such other common areas shall be reserved for the employees, clients and visitors of the agencies occupying the public building, and for the purposes described in subsection (2)(A). Permitted activities in such other common areas shall specifically include the operation of cafeterias, vending machines, newsstands and similar facilities, if authorized by the facility manager as part of the operation of the public building for the benefit of employees, clients and visitors of the public agency. Permitted activities may also include special events, such as Christmas caroling or other concerts, if authorized by the facility manager.

3. The facility manager shall have authority to bar or evict any persons who fail to comply with the requirements of this rule in any way.

(F) Agency Offices. The use of any agency office which is located within any other public building shall be reserved exclusively for the employees, clients and visitors of the agency and shall be subject to the control of the office supervisor.

(3) Public Use of Other Public Buildings and Grounds Not Occupied by State Agencies. The use to be made of other public buildings



and grounds or portions thereof which are occupied by individuals or organizations other than the state of Missouri, under a lease or sublease from the state of Missouri or otherwise, shall be determined solely by the occupant of the facility, but shall be subject to any restrictions imposed by the lease or sublease or by any laws.

(4) Public Use of the Capitol Building and Grounds.

(A) The following activities and conditions are not permitted in or about the Capitol Building and grounds, as defined in section (1) of this rule:

1. Purely private social events, such as weddings, regardless of the type or content;

2. The service or consumption of alcoholic beverages, except as provided in paragraph (4)(A)3.;

3. Box lunches, buffet style or “sit down” food service, or any other service of food or beverage is prohibited in the rotunda, except that the service of food and beverage, including alcoholic beverages, is permitted if it is part of a state government function and is approved by the Board of Public Buildings. The service of food or beverage on the Capitol grounds is prohibited unless approved by the facility manager and the food or beverage is served without charge;

4. In order to minimize damage to the rotunda floor, dance events, including demonstrations such as clogging, square dancing and other such activity, are prohibited in the rotunda, unless the events are part of a state government function and are approved by the Board of Public Buildings;

5. Commercial activities, including the sale of any goods or services and any other activities undertaken for the primary purpose of obtaining a financial return for the benefit of an individual or organization, whether organized for profit or not, except as otherwise authorized in this rule;

6. The solicitation of contributions, gifts or donations is prohibited in all common areas of the Capitol Building, and the distribution of leaflets or other materials and all other forms of solicitation, including solicitation of support for any political candidate or cause is prohibited in all common areas of the Capitol Building except the rotunda and the south steps;

7. Making any speech or conducting any organized activity involving two (2) or more persons without first obtaining a permit from the facility manager, or distributing leaflets or other materials which have not been provided to the facility manager in conjunction with an application for a permit, or leaving leaflets or other materials unattended;

8. Any activity that obstructs the free ingress or egress of those wishing to enter or leave the rotunda or other portions of the Capitol;

9. A sound level, noise, or any other activity that disrupts the business of government in the Capitol;

10. The use of balloons of any kind in the rotunda;

11. Smoking in any of the common areas inside the Capitol Building, except in those areas that have specifically been designated as “smoking areas”;

12. Guns or weapons of any kind, except as authorized in section (5) of this rule;

13. The use, in the rotunda, of lighted candles or other devices which produce flames;

14. Signs, banners and like material shall not be fastened in any way to the walls, surfaces, or railing surrounding the rotunda. Wood, metal or plastic poles or standards shall not be used to support signs or banners and shall not be brought onto the Capitol grounds. Signs displayed during an activity shall not contain any obscene words or symbols;

15. Any other activity that presents a significant likelihood of damage to the rotunda or other portions of the Capitol;

16. Camping, as previously defined in this rule; and

17. Any activity that is a violation of federal, state or local law.

(B) Permit System for Use of Capitol. No person or organization shall have the exclusive use of any portion of the rotunda or any other part of the Capitol Building and grounds, unless the facility manager has issued to that person or organization a permit for the use of the facility. The terms and conditions for the issuance of permits shall be as specified in paragraphs (4)(B)1.-3.:

1. Applications for Permits. Applications for permits shall be in writing and shall include the following information:

A. The full names, mailing addresses and telephone numbers of the person or organization sponsoring the proposed activity and of an individual who agrees to accept responsibility for supervising the proposed activity;

B. A description of the proposed activity and an estimate of the number of persons who will participate in the proposed activity;

C. A description of the part of the Capitol Building and grounds that the applicant wishes to use and a listing of the dates and hours during which the applicant wishes to use them; and

D. A description of the sanitation facilities, utilities, security, and other equip-

ment and services that will be required for the proposed activity, such as chairs, podiums and microphones, and a description of the means proposed for providing those items.

2. Issuance of permits. Permits shall be issued by the facility manager, on a first-come, first-served basis to those persons or organizations who comply with the requirements of this rule.

3. Conditions.

A. The facility manager may impose reasonable limits on the duration of the activity and the space allocated to it, and may furnish materials, supplies and equipment needed for the activity, if such are available, but may limit the amount furnished so that government property may remain accessible to other members of the general public. All permits issued shall require the permittee to comply with the conditions described in subsection (4)(A) hereof.

B. The facility manager may also impose such other conditions as are reasonably necessary to prevent damage to state government property, prevent disruption of the conduct of state business, provide for the safety and security of the public, provide adequate sanitation facilities, and protect the health and safety of those attending or participating in the activity covered by the permit.

C. The facility manager may also impose reasonable charges for the cost of any food or drink, utilities, supporting physical arrangements, security or other personnel, or equipment over and above the services normally provided at the building during the time of the activity. The facility manager may waive such costs for government entities or if it is not practicable to identify the amount of the additional costs or if the amount is insignificant.

4. Disapprovals; cancellations. The facility manager may disapprove any application and may cancel an issued permit, even after the applicant has begun using the facility, if the application is false or incomplete or if the applicant fails to comply with the conditions specified in the permit or fails to comply with the provisions of this rule. In addition, the facility manager may disapprove applications submitted by those who have repeatedly failed to comply with the terms and conditions of permits previously issued to them.

5. Exceptions. The Board of Public Buildings may make exceptions to this rule if it deems the exception to be in the best interest of the state.

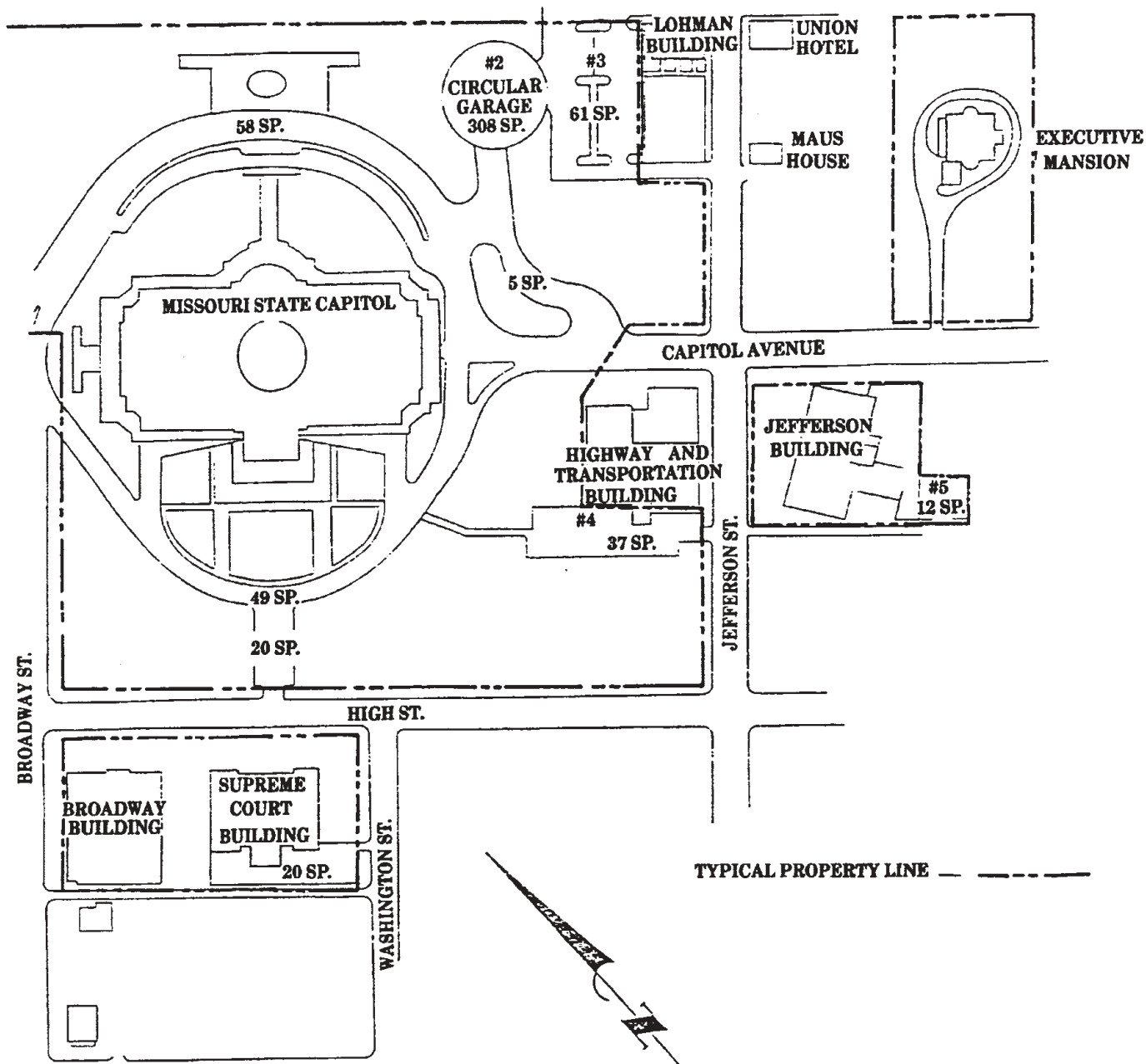
(5) Weapons Capable of Lethal Use Prohibited; Exceptions.



(A) Carrying a firearm or any other weapon readily capable of lethal use into the Capitol Building and grounds as defined in subsection (1)(B), the offices in the Capitol Building occupied by the Governor and the Governor's administration, the offices in the Capitol Building of the Lieutenant Governor, the offices in the Capitol Building of the State Auditor, the offices in the Capitol Building of the State Treasurer, any other building and grounds as defined in subsection (1)(D), or the Governor's Mansion and grounds, is prohibited. This prohibition shall not apply to state and federal law enforcement officers, peace officers, probation and parole officers, wardens and superintendents of prisons or penitentiaries, members of the armed forces and national guard, persons vested with judicial authority by the state or federal court, and members of the state General Assembly, acting in their official capacity. Possession of a firearm by a person holding a valid state concealed carry endorsement in a vehicle located in a parking area upon the premises of any area referenced in this rule shall not be prohibited so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

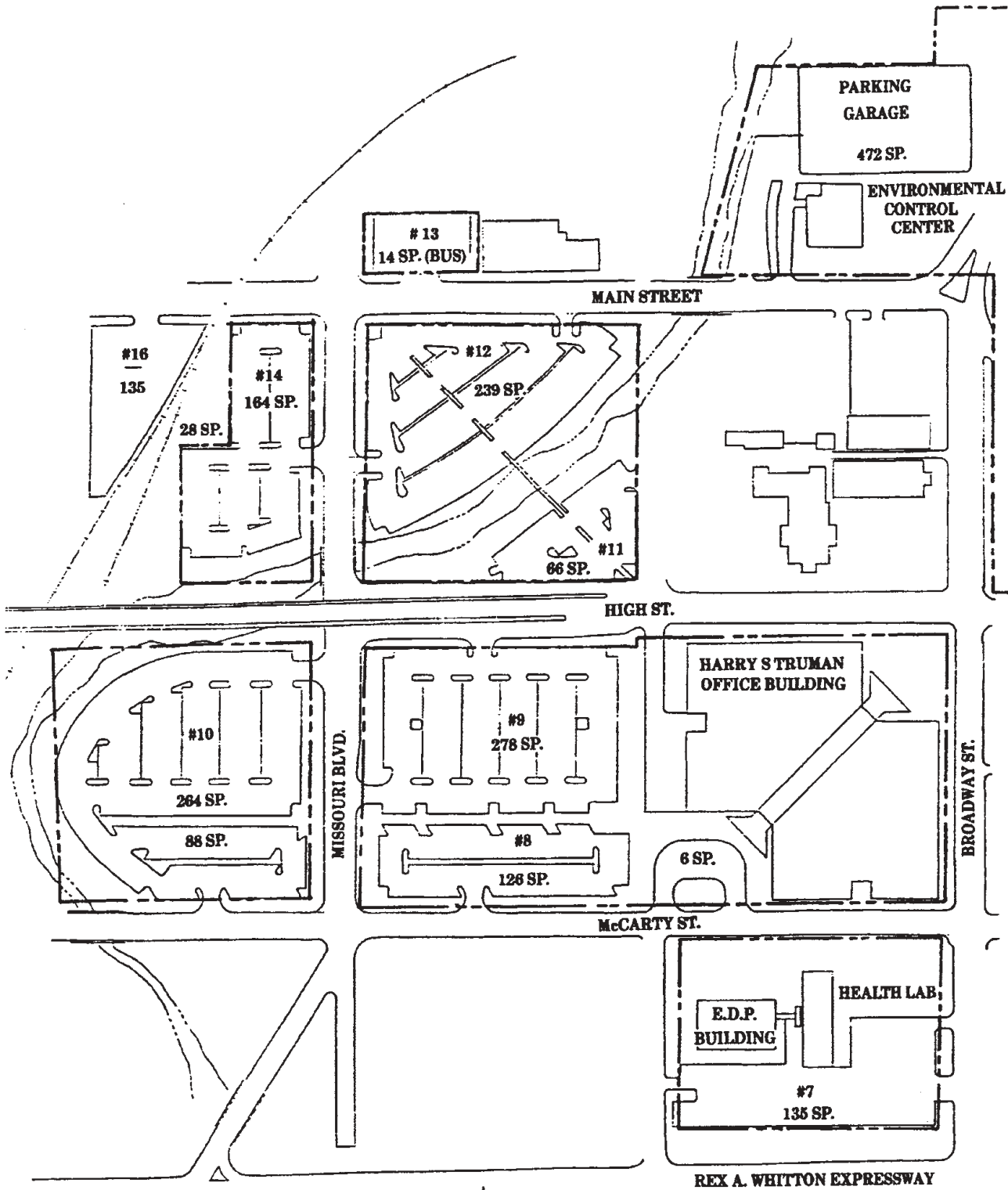


Appendix A



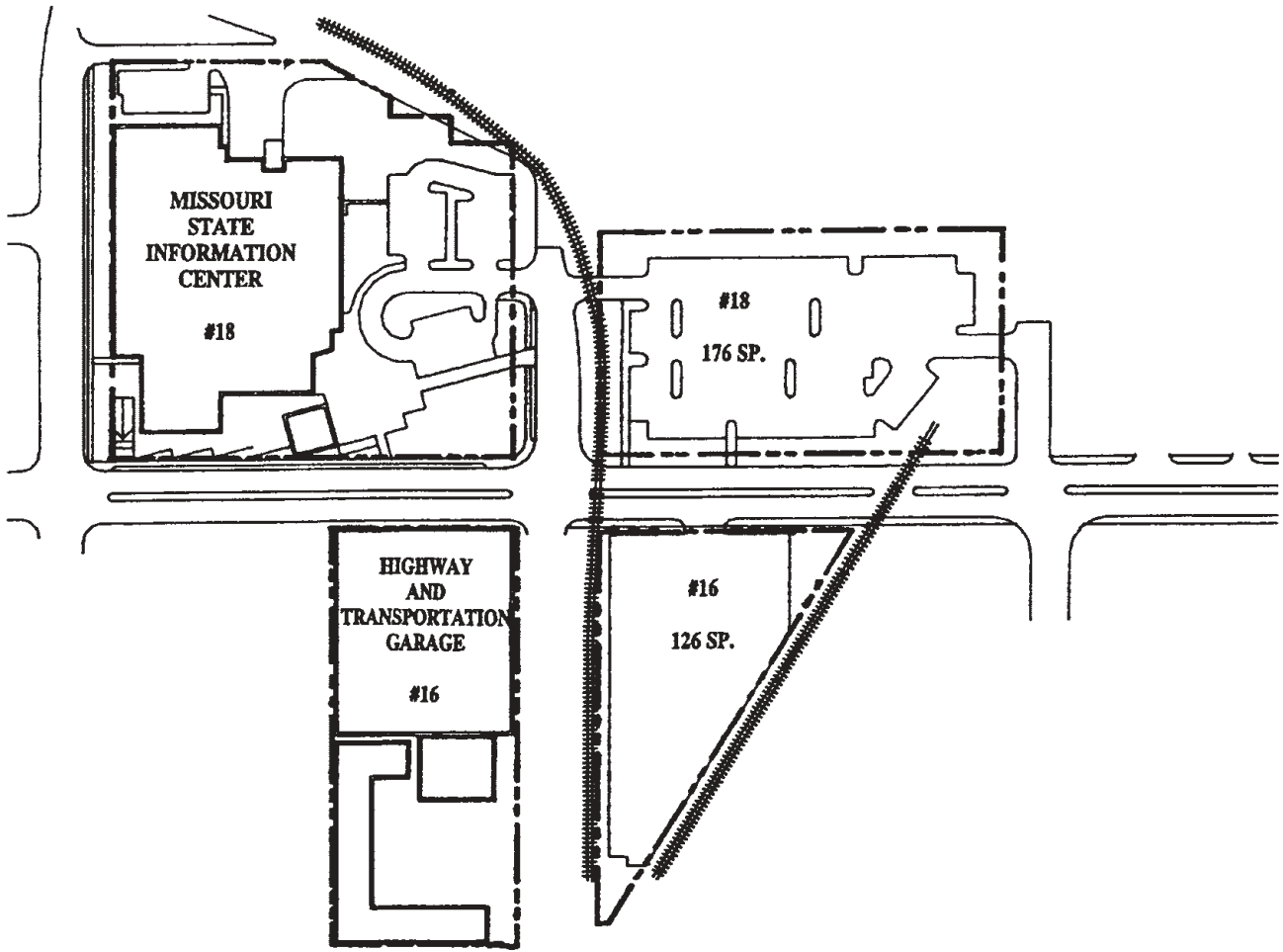
NOTE: Sidewalks on public rights-of-way are not included with the listed property.

CAPITOL COMPLEX



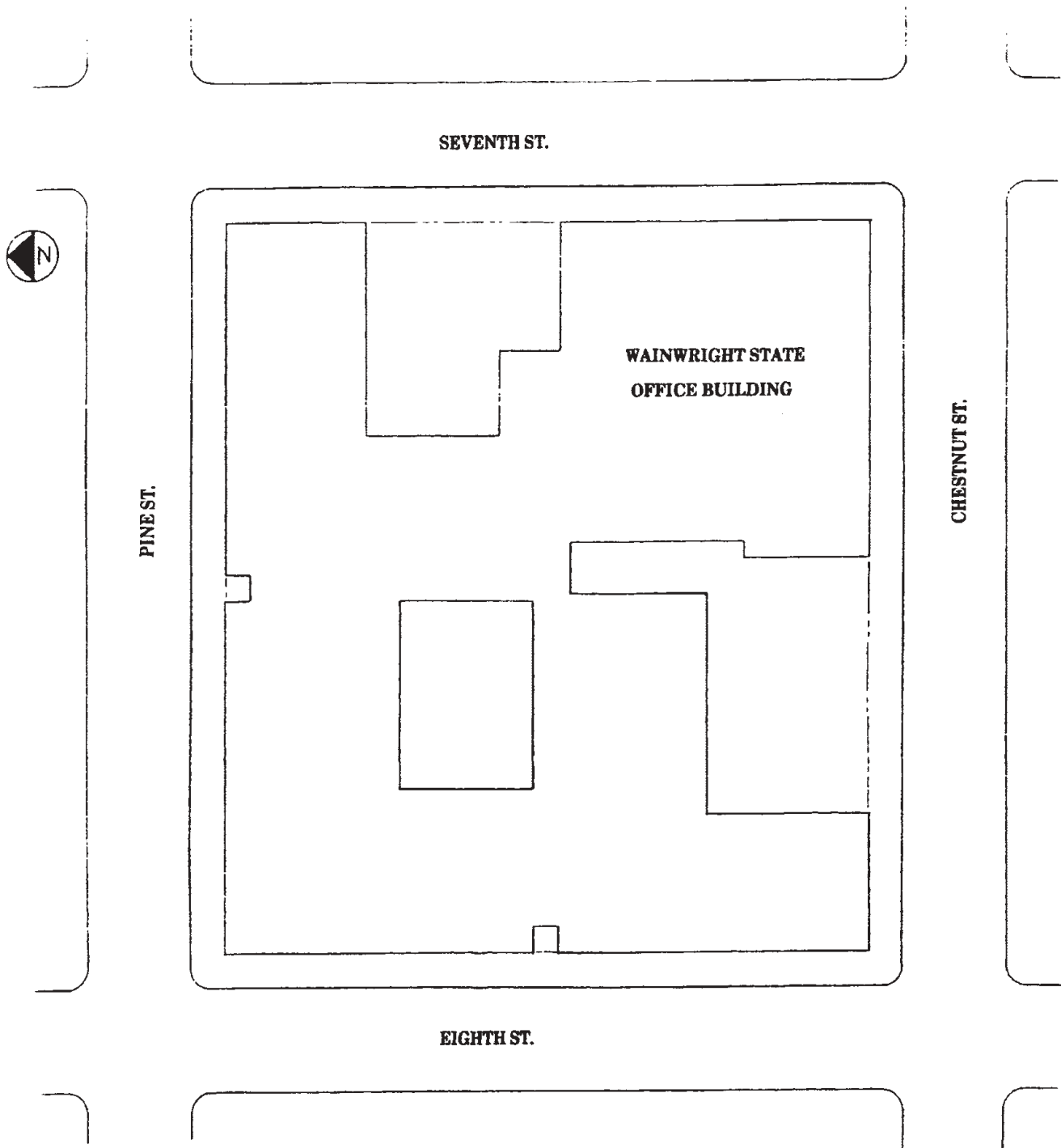
NOTE: Sidewalks on public rights-of-way are not included with the listed property.

CAPITOL COMPLEX



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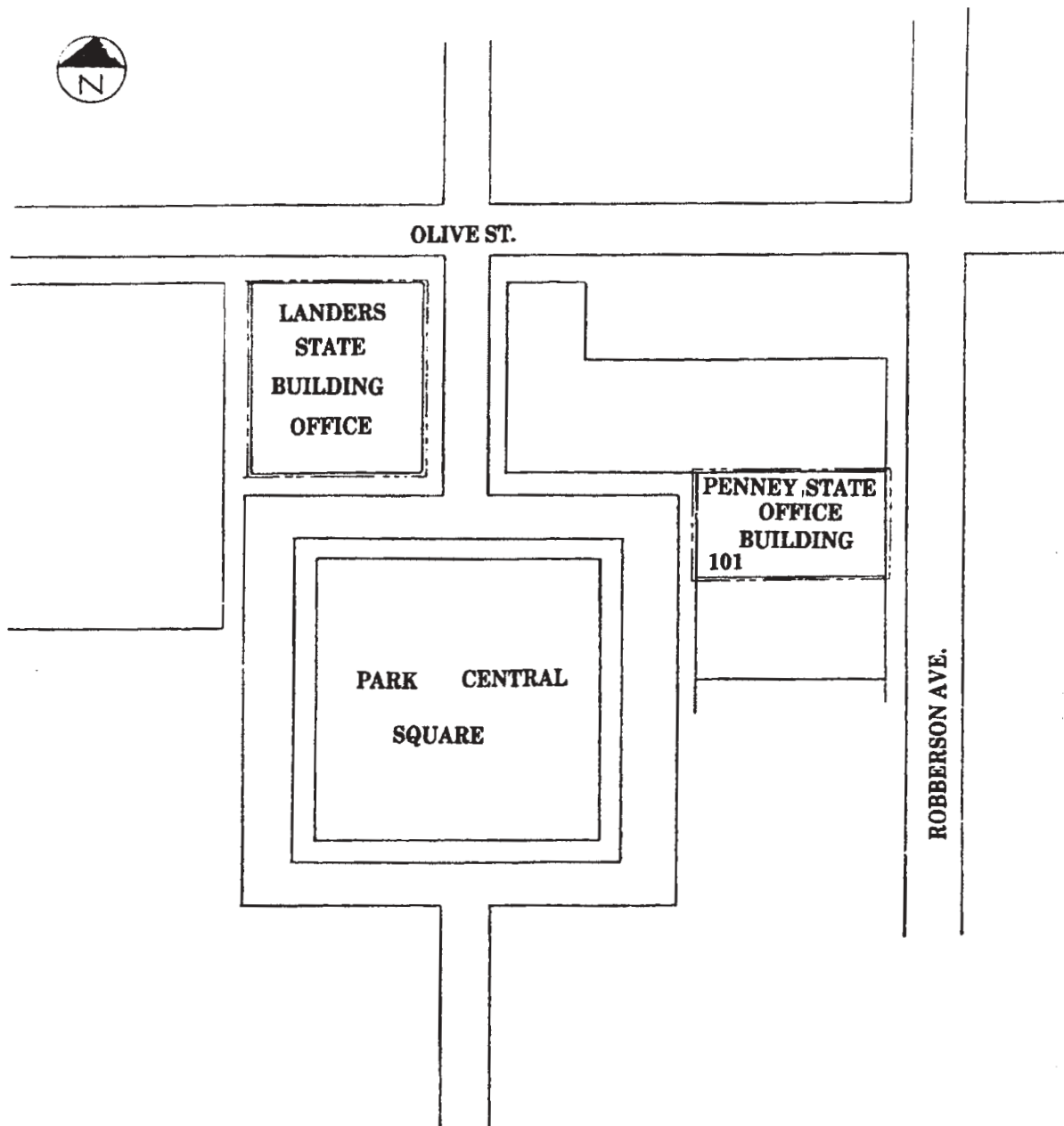
CAPITOL COMPLEX



NOTE: Sidewalks on public rights-of-way are not included with the listed property.

----- PROPERTY LINE

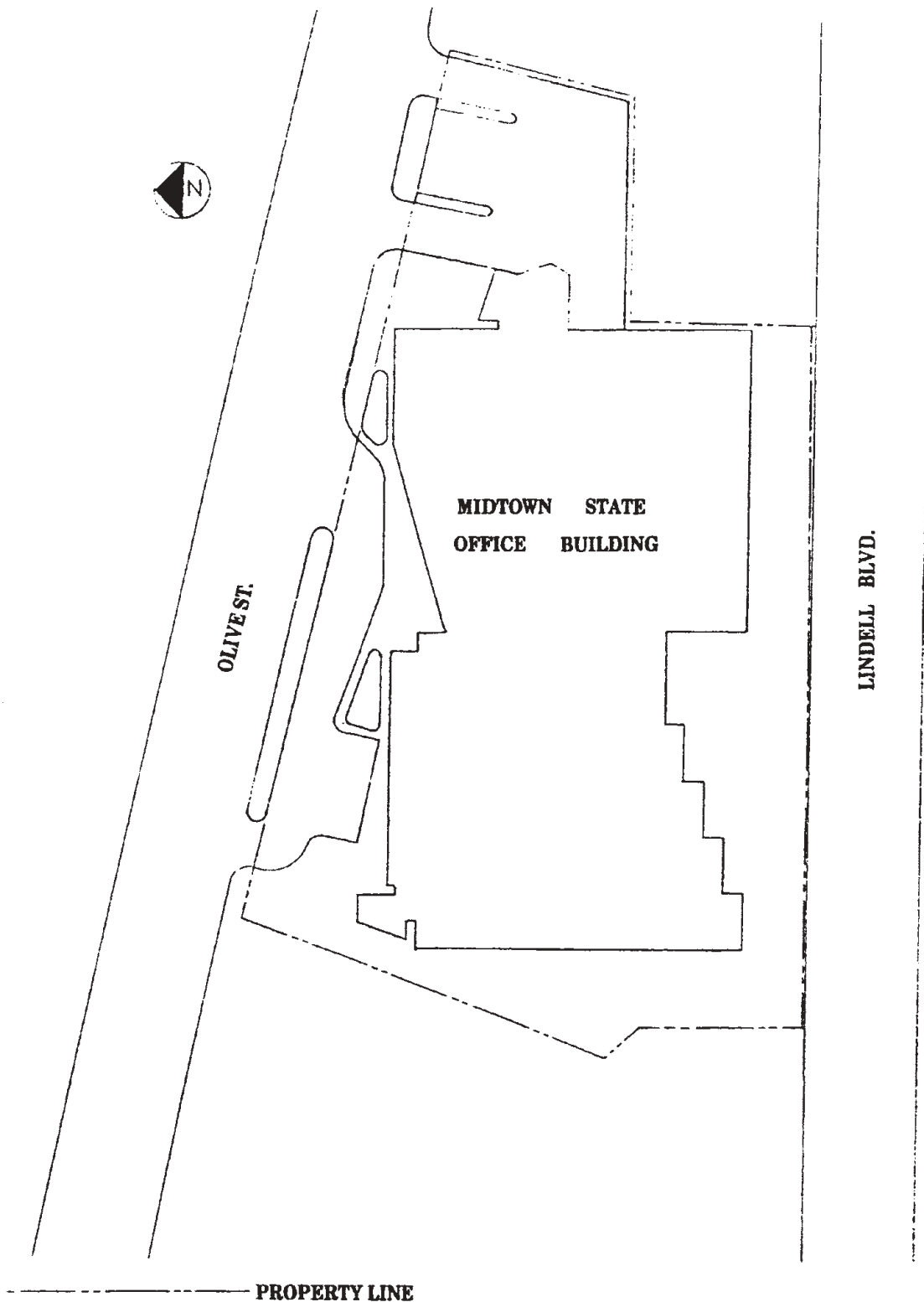
WAINWRIGHT STATE OFFICE BUILDING



NOTE: Sidewalks on public rights-of-way are not included with the listed property.

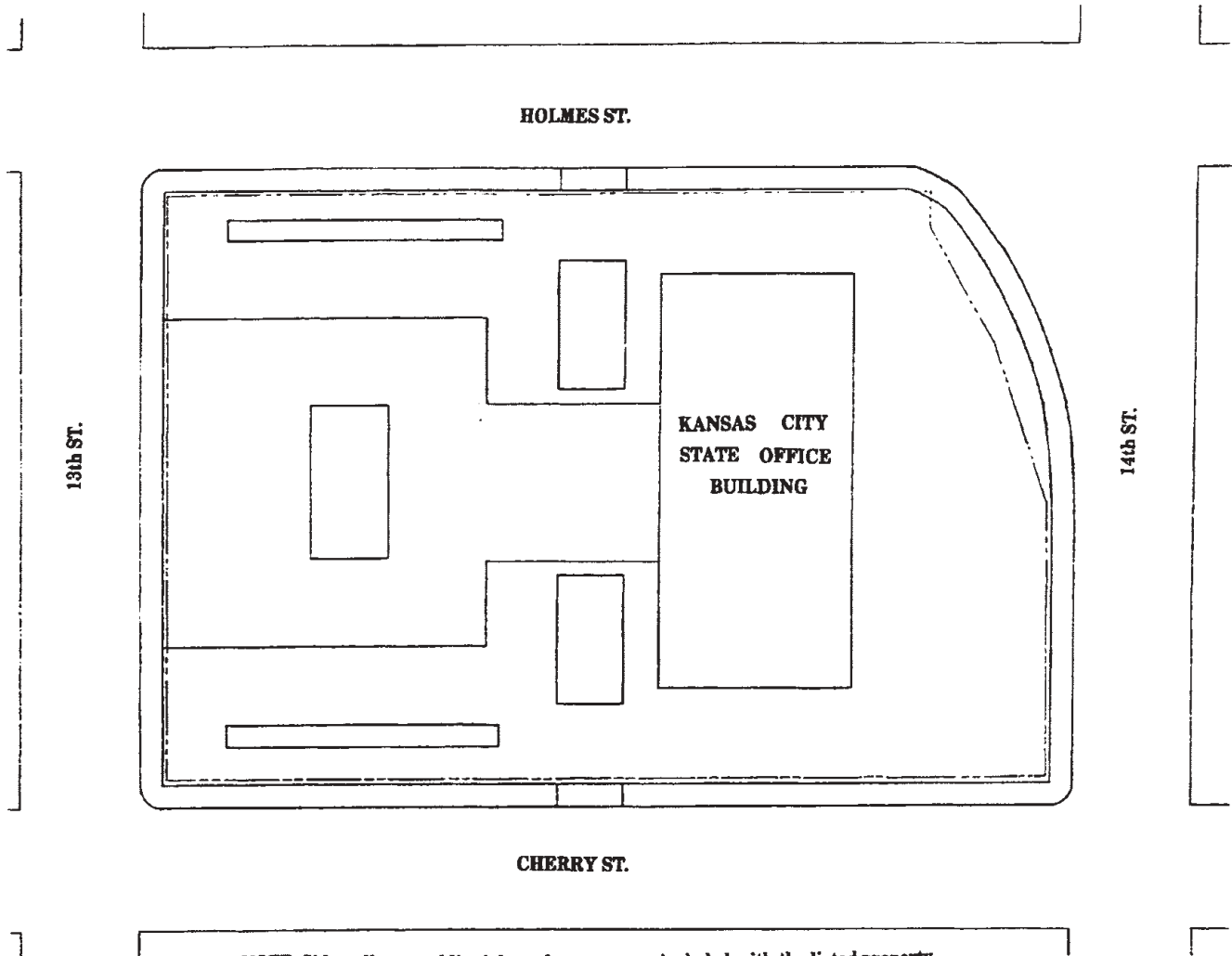
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SPRINGFIELD STATE OFFICE COMPLEX



MIDTOWN STATE OFFICE BUILDING

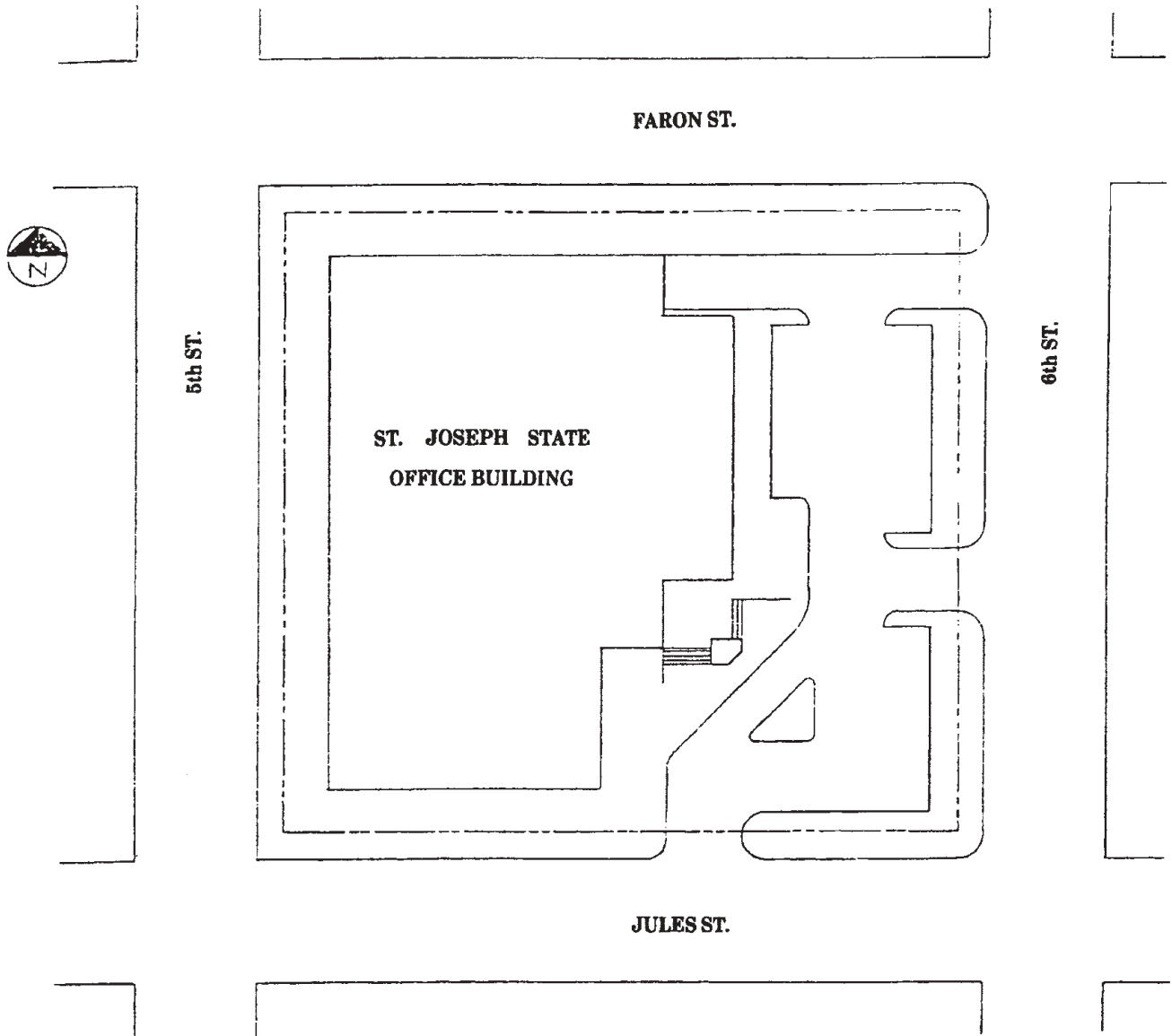
NOTE: Sidewalks on public rights-of-way are not included with the listed property.



NOTE: Sidewalks on public rights-of-way are not included with the listed property.

----- PROPERTY LINE

KANSAS CITY STATE OFFICE BUILDING



NOTE: Sidewalks on public rights-of-way are not included with the listed property.

----- PROPERTY LINE

SAINT JOSEPH STATE OFFICE BUILDING



AUTHORITY: sections 8.110, 8.320, 34.030, 37.005, 536.023.3 and 536.025, RSMo 2000. Original rule filed April 23, 1998, effective Nov. 30, 1998. Emergency amendment filed Oct. 9, 2003, effective Oct. 19, 2003, expires April 15, 2004. Amended: Filed Oct. 9, 2003, effective April 30, 2004.*

**Original authority: 8.110, RSMo 1939, amended 1949, 1957, 1965, 1995; 8.320, RSMo 1958, amended 1965; 34.030, RSMo 1939, amended 1945; 37.005, RSMo 1973, amended 1983, 1986, 1987, 1991, 1996, 1997; 536.023, RSMo 1975, amended 1976, 1997; and 536.025, RSMo 1975, amended 1976, 1993, 1995, 1997.*