

SECOND REGULAR SESSION

HOUSE BILL NO. 2031

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WOOD.

Read 1st time March 16, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5634L.01I

AN ACT

To amend chapter 94, RSMo, by adding thereto one new section relating to transient guest tax.

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

Section A. Chapter 94, RSMo, is amended by adding thereto one new section, to be
2 known as section 94.839, to read as follows:

**94.839. 1. The governing body of any city of the fourth classification with more
2 than two thousand two hundred but fewer than two thousand three hundred inhabitants
3 and located in any county of the third classification without a township form of
4 government and with more than twenty-eight thousand six hundred but fewer than
5 twenty-eight thousand seven hundred inhabitants may impose, by order or ordinance, a
6 tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels
7 situated in the city or a portion thereof. The tax shall be not more than four percent per
8 occupied room per night, and shall be imposed solely for the purpose of promoting tourism
9 and constructing or maintaining infrastructure improvements. The tax authorized in this
10 section shall be in addition to the charge for the sleeping room and all other taxes imposed
11 by law, and shall be stated separately from all other charges and taxes. The order or
12 ordinance shall not become effective unless the governing body of the city submits to the
13 voters of the city at a state general, primary, or special election a proposal to authorize the
14 governing body of the city to impose a tax under this section.**

**2. The ballot of submission for the tax authorized in this section shall be in
16 substantially the following form:**

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 Shall (insert the name of the city) impose a tax on the charges for all sleeping
18 rooms paid by the transient guests of hotels and motels situated in (name of city) at a
19 rate of (insert rate of percent) percent, solely for the purpose of promoting tourism and
20 infrastructure improvements?

21

22 ☐ YES

☐ NO

23

24 If you are in favor of the question, place an "X" in the box opposite "YES". If you are
25 opposed to the question, place an "X" in the box opposite "NO".

26

27 If a majority of the votes cast on the question by the qualified voters voting thereon are in
28 favor of the question, then the tax shall become effective on the first day of the second
29 calendar quarter following the calendar quarter in which the election was held. If a
30 majority of the votes cast on the question by the qualified voters voting thereon are
31 opposed to the question, then the tax shall not become effective unless and until the
32 question is resubmitted under this section to the qualified voters of the city and such
33 question is approved by a majority of the qualified voters of the city voting on the question.

34 3. All revenue generated by the tax shall be deposited in a special trust fund and
35 shall be used solely for the designated purposes. Fifty percent of such revenue shall be
36 used by the city solely for promoting tourism, and fifty percent of such revenue shall be
37 used by the city solely for constructing or maintaining infrastructure improvements. If the
38 tax is repealed, all funds remaining in the special trust fund shall continue to be used solely
39 for the designated purposes. Any funds in the special trust fund that are not needed for
40 current expenditures may be invested by the governing body in accordance with applicable
41 laws relating to the investment of other city funds. Any interest and moneys earned on
42 such investments shall be credited to the fund.

43 4. The governing body of any city that has adopted the tax authorized in this
44 section may submit the question of repeal of the tax to the voters on any date available for
45 elections for the city. The ballot of submission shall be in substantially the following form:

46 Shall (insert the name of the city) repeal the tax imposed at a rate of (insert
47 rate of percent) percent for promoting tourism and infrastructure improvements?

48

49 ☐ YES

☐ NO

50

51 If you are in favor of the question, place an "X" in the box opposite "YES". If you are
52 opposed to the question, place an "X" in the box opposite "NO".

53 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall
54 become effective on December thirty-first of the calendar year in which such repeal was
55 approved. If a majority of the votes cast on the question by the qualified voters voting
56 thereon are opposed to the repeal, then the tax authorized in this section shall remain
57 effective until the question is resubmitted under this section to the qualified voters of the
58 city, and the repeal is approved by a majority of the qualified voters voting on the question.

59 **5. Whenever the governing body of any city that has adopted the tax authorized in**
60 **this section receives a petition, signed by a number of registered voters of the city equal to**
61 **at least ten percent of the number of registered voters of the city voting in the last**
62 **gubernatorial election, calling for an election to repeal the tax imposed under this section,**
63 **the governing body shall submit to the voters of the city a proposal to repeal the tax. If a**
64 **majority of the votes cast on the question by the qualified voters voting thereon are in favor**
65 **of the repeal, that repeal shall become effective on December thirty-first of the calendar**
66 **year in which such repeal was approved. If a majority of the votes cast on the question by**
67 **the qualified voters voting thereon are opposed to the repeal, then the tax shall remain**
68 **effective until the question is resubmitted under this section to the qualified voters of the**
69 **city and the repeal is approved by a majority of the qualified voters voting on the question.**

70 **6. As used in this section, "transient guests" means a person or persons who occupy**
71 **a room or rooms in a hotel or motel for thirty-one days or less during any calendar**
72 **quarter.**

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