

FIRST REGULAR SESSION

HOUSE BILL NO. 603

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES VILLA (Sponsor),
WRIGHT-JONES AND JOHNSON (Co-sponsors).

Read 1st time January 25, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

1606L.01I

AN ACT

To amend chapter 92, RSMo, by adding thereto one new section relating to a sales tax for public safety.

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

Section A. Chapter 92, RSMo, is amended by adding thereto one new section, to be
2 known as section 92.500, to read as follows:

**92.500. 1. The governing body of any city not within a county may impose, by
2 order or ordinance, a sales tax on all retail sales made within the city which are subject to
3 sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one-
4 half of one percent, and shall be imposed solely for the purpose of providing revenues for
5 the operation of public safety departments, including but not limited to compensation,
6 pension programs, and health care for employees and pensioners of the public safety
7 departments. For purposes of this section, "public safety departments" includes police and
8 fire departments. The tax authorized in this section shall be in addition to all other sales
9 taxes imposed by law, and shall be stated separately from all other charges and taxes.**
10 **2. No order or ordinance adopted under this section shall become effective unless
11 the governing body of the city submits to the voters residing within the city at a state
12 general, primary, or special election a proposal to authorize the governing body of the city
13 to impose a tax under this section. The question for the ballot of submission for the tax
14 authorized in this section shall be in 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.

15 **Shall (insert the name of the city) impose a sales tax at a rate of**
16 **(insert rate of percent) percent, solely for the purpose of providing revenues for the**
17 **operation of public safety departments of the city, including hiring more police officers,**
18 **prosecuting more criminals, nuisance crimes, and problem properties?**

19

20 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**
21 **favor of the question, then the tax shall become effective on the first day of the second**
22 **calendar quarter immediately following notification to the department of revenue. If a**
23 **majority of the votes cast on the question by the qualified voters voting thereon are**
24 **opposed to the question, then the tax shall not become effective unless and until the**
25 **question is resubmitted under this section to the qualified voters and such question is**
26 **approved by a majority of the qualified voters voting on the question.**

27 **3. All revenue collected under this section by the director of the department of**
28 **revenue on behalf of any city, except for one percent for the cost of collection which shall**
29 **be deposited in the state's general revenue fund, shall be deposited in a special trust fund,**
30 **which is hereby created and shall be known as the "Public Safety Protection Sales Tax**
31 **Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not**
32 **be deemed to be state funds, and shall not be commingled with any funds of the state. The**
33 **director may make refunds from the amounts in the trust fund and credited to the city for**
34 **erroneous payments and overpayments made, and may redeem dishonored checks and**
35 **drafts deposited to the credit of such city. Any funds in the special trust fund which are**
36 **not needed for current expenditures shall be invested in the same manner as other funds**
37 **are invested. Any interest and moneys earned on such investments shall be credited to the**
38 **fund. The director shall keep accurate records of the amounts in the fund, and such**
39 **records shall be open to the inspection of the officers of such city and to the public. Not**
40 **later than the tenth day of each month, the director shall distribute all moneys deposited**
41 **in the fund during the preceding month to the city. Such funds shall be deposited with the**
42 **treasurer of the city, and all expenditures of moneys from the fund shall be by an**
43 **appropriation ordinance enacted by the governing body of the city.**

44 **4. The governing body of any city that has adopted the sales tax authorized in this**
45 **section may submit the question of repeal of the tax to the voters on any date available for**
46 **elections for the city.**

47

48 **If a majority of the votes cast on the question by the qualified voters voting thereon are in**
49 **favor of repeal, that repeal shall become effective on December thirty-first of the calendar**
50 **year in which such repeal was approved. If a majority of the votes cast on the question by**

51 the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized
52 in this section shall remain effective until the question is resubmitted under this section to
53 the qualified voters and the repeal is approved by a majority of the qualified voters voting
54 on the question.

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

67 6. If the tax is repealed or terminated by any means, all funds remaining in the
68 special trust fund shall continue to be used solely for the designated purposes, and the city
69 shall notify the director of the department of revenue of the action at least ninety days
70 before the effective date of the repeal and the director may order retention in the trust
71 fund, for a period of one year, of two percent of the amount collected after receipt of such
72 notice to cover possible refunds or overpayment of the tax and to redeem dishonored
73 checks and drafts deposited to the credit of such accounts. After one year has elapsed after
74 the effective date of abolition of the tax in such city, the director shall remit the balance in
75 the account to the city and close the account of that city. The director shall notify each city
76 of each instance of any amount refunded or any check redeemed from receipts due the city.

✓