

FIRST REGULAR SESSION

HOUSE BILL NO. 1091

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DOUGHERTY.

Read 1st time March 8, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2617L.01I

AN ACT

To amend chapter 82, RSMo, by adding thereto one new section relating to a sales tax for funding police services.

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

Section A. Chapter 82, RSMo, is amended by adding thereto one new section, to be known as section 82.875, to read as follows:

- 82.875. 1. The governing body of any home rule city with more than one hundred thirteen thousand two hundred but fewer than one hundred thirteen thousand three hundred inhabitants may impose, by order or ordinance, a sales tax on all retail sales made within the city which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one percent of the gross receipts of such retail sales, may be imposed in increments of one-eighth of one percent, and shall be imposed solely for the purpose of funding police services provided by the police department of the city. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**
- 2. No such order or ordinance adopted under this section shall become effective unless the governing body of the city submits to the voters residing within the city at a state general, primary, or special election a proposal to authorize the governing body of the city to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue**

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.

16 receives notification of adoption of the local sales tax. If a majority of the votes cast on the
17 question by the qualified voters voting thereon are opposed to the question, then the tax
18 shall not become effective unless and until the question is resubmitted under this section
19 to the qualified voters and such question is approved by a majority of the qualified voters
20 voting on the question.

21 3. All revenue collected under this section by the director of the department of
22 revenue on behalf of any city, except for one percent for the cost of collection which shall
23 be deposited in the state's general revenue fund, shall be deposited in a special trust fund,
24 which is hereby created and shall be known as the "City Police Services Sales Tax Fund",
25 and shall be used solely for the designated purposes. Moneys in the fund shall not be
26 deemed to be state funds, and shall not be commingled with any funds of the state. The
27 director may make refunds from the amounts in the trust fund and credited to the city for
28 erroneous payments and overpayments made, and may redeem dishonored checks and
29 drafts deposited to the credit of such city. Any funds in the special trust fund which are
30 not needed for current expenditures shall be invested in the same manner as other funds
31 are invested. Any interest and moneys earned on such investments shall be credited to the
32 fund.

33 4. The governing body of any city that has adopted the sales tax authorized in this
34 section may submit the question of repeal of the tax to the voters on any date available for
35 elections for the city. If a majority of the votes cast on the question by the qualified voters
36 voting thereon are in favor of the repeal, that repeal shall become effective on December
37 thirty-first of the calendar year in which such repeal was approved. If a majority of the
38 votes cast on the question by the qualified voters voting thereon are opposed to the repeal,
39 then the sales tax authorized in this section shall remain effective until the question is
40 resubmitted under this section to the qualified voters and the repeal is approved by a
41 majority of the qualified voters voting on the question.

42 5. Whenever the governing body of any city that has adopted the sales tax
43 authorized in this section receives a petition, signed by a number of registered voters of the
44 city equal to at least two percent of the number of registered voters of the city voting in the
45 last gubernatorial election, calling for an election to repeal the sales tax imposed under this
46 section, the governing body shall submit to the voters of the city a proposal to repeal the
47 tax. If a majority of the votes cast on the question by the qualified voters voting thereon
48 are in favor of the repeal, the repeal shall become effective on December thirty-first of the
49 calendar year in which such repeal was approved. If a majority of the votes cast on the
50 question by the qualified voters voting thereon are opposed to the repeal, then the sales tax
51 authorized in this section shall remain effective until the question is resubmitted under this

52 section to the qualified voters and the repeal is approved by a majority of the qualified
53 voters voting on the question.

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

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