

SECOND REGULAR SESSION

HOUSE BILL NO. 1610

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHOELLER.

4362L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 393.275 and 660.122, RSMo, and to enact in lieu thereof two new sections relating to utilities.

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

Section A. Sections 393.275 and 660.122, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 393.275 and 660.122, to read as follows:

393.275. 1. The commission shall notify the governing body of each city or county
2 imposing a business license tax pursuant to section 66.300, 92.045, 94.110, 94.270 or 94.360,
3 RSMo, or a similar tax adopted pursuant to charter provisions in any constitutional charter city
4 with a population of at least three hundred fifty thousand inhabitants which is located in more
5 than one county, on gross receipts of any gas corporation, electric corporation, water corporation
6 or sewer corporation of any tariff increases authorized for such firm doing business in that city
7 or county if the approved increase exceeds seven percent. The commission shall include with
8 such notice to any city or county the percentage increase approved for the utility, together with
9 an estimate of the annual increase in gross receipts resulting from the tariff increase on customers
10 residing in that city or county. The provisions of this subsection shall not apply to rate
11 adjustments in the purchase price of natural gas which are approved by the commission.

12 2. The governing body of each city or county notified of a tariff increase as provided in
13 subsection 1 of this section shall reduce the tax rate of its business license tax on the gross
14 receipts of utility corporations. Within sixty days of the effective date of the tariff increase, the
15 tax rate shall be reduced to the extent necessary so that revenue for the ensuing twelve months
16 will be approximately equal to the revenue received during the preceding twelve months plus a
17 growth factor. The growth factor shall be equal to the average of the additional revenue received

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.

18 in each of the preceding three years. However, a city or county may maintain the tax rate of its
19 business license tax on the gross receipts of utility corporations without reduction if an ordinance
20 to maintain the tax rate is enacted by the governing body of the city or an order to maintain the
21 tax rate is issued by the governing body of the county after September 28, 1985. The provisions
22 of this subsection shall not apply to rate adjustments in the purchase price of natural gas which
23 are approved by the commission **and such purchased gas adjustment rates shall include the**
24 **gas cost portion of net write-offs incurred by the gas corporation in providing service to**
25 **system sales customers upon the filing and approval of new rate schedules applicable to**
26 **such customers. Such rate schedules shall be designed to simultaneously decrease the gas**
27 **corporation's base rates and increase its purchased gas adjustment rates by like amounts**
28 **so as to reasonably ensure that the gas cost portion of the net write-offs applicable to such**
29 **customers, as such portion is determined by the commission, is only being recovered once**
30 **through the gas corporation's purchased gas adjustment rates. Increases and decreases**
31 **in the gas cost portion of net write-offs shall thereafter be reflected in the gas corporation's**
32 **purchased gas adjustment rates under tariff provisions approved by the commission**
33 **provided, however, that such tariff provisions shall:**

34 (1) **Limit increases or decreases in the gas cost portion of net write-offs as reflected**
35 **in purchased gas adjustment rates to once each year;**

36 (2) **Require a true-up of the gas cost portion of net write-offs as reflected in**
37 **purchased gas adjustment rates once each year; and**

38 (3) **Require commission review of the gas cost portion of net write-offs as reflected**
39 **in purchased gas adjustment rates once each year to insure that the gas corporation is**
40 **prudently pursuing collection of amounts owed by its customers.**

660.122. Funds appropriated under the authority of sections 660.100 to 660.136 may be
2 used to pay the expenses of reconnecting or maintaining service to **eligible** households [that have
3 had their primary or secondary heating or cooling source disconnected or service discontinued
4 because of their failure to pay their bill]. **Eligible households which have paid or attempted**
5 **to pay their utility bills shall not be precluded from receiving such assistance.** Any qualified
6 household or other household which has as its head a person who is elderly or disabled, as
7 defined in section 660.100, shall be eligible for assistance under this section if the income for
8 the household is no more than one hundred fifty percent of the current federal poverty level or
9 sixty percent of the state median income and if moneys have been appropriated by the general
10 assembly to the utilicare stabilization fund established pursuant to section 660.136. Payments
11 under this section shall be made directly to the primary or secondary heating or cooling source
12 supplier. Any primary or secondary heating or cooling source supplier subject to the supervision
13 and regulation of the public service commission shall, at any time during the period of the cold

14 weather rule specified in the cold weather rule as established and as amended by the public
15 service commission, reconnect and provide services to each household eligible for assistance
16 under this section in compliance with the terms of such cold weather rule, **provided that such**
17 **suppliers shall permit customers who have not yet been disconnected and who incurred an**
18 **arrearage during the cold weather rule period to retain service by paying during each of**
19 **the three months following the cold weather rule period an amount equal to one-third of**
20 **the customer's arrearage, plus the customer's current bill.** All home energy suppliers
21 receiving funds under this section shall provide service to eligible households consistent with
22 their contractual agreements with the department of social services **and sections 660.100 to**
23 **660.136.**

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