

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute #2 for Senate Committee Substitute for Senate Bill No. 117, Section 32.420, Page 10, Line 3, by inserting the following at the end of said Line:

“This authority shall not supersede the authority granted to the attorney general under section 27.060 or any other statute.”; and

FURTHER AMEND said substitute, Section 105.716, Page 22, Line 40, by inserting the following after all of said Line:

“136.055. 1. Any person who is selected or appointed by the state director of revenue as provided in subsection 2 of this section to act as an agent of the department of revenue, whose duties shall be the processing of motor vehicle title and registration transactions and the collection of sales and use taxes when required under sections 144.070 and 144.440, and who receives no salary from the department of revenue, shall be authorized to collect from the party requiring such services additional fees as compensation in full and for all services rendered on the following basis:

(1) For each motor vehicle or trailer registration issued, renewed or transferred--three dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant to section 301.147;

(2) For each application or transfer of title--two dollars and fifty cents;

(3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's license issued for a period of three years or less--two dollars and fifty cents and five dollars for licenses or instruction permits issued or renewed for a period exceeding three years;

(4) For each notice of lien processed--two dollars and fifty cents;

(5) No notary fee or other fee or additional charge shall be paid or collected except for electronic telephone transmission reception--two dollars.

2. The director of revenue shall award fee office contracts under this section through a competitive bidding process. The competitive bidding process shall give priority to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not limited to, municipalities, counties, and fire protection districts. The director of the department of revenue

1 may promulgate rules and regulations necessary to carry out the provisions of this subsection.
2 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
3 authority delegated in this subsection shall become effective only if it complies with and is subject
4 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
5 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant
6 to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
7 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
8 or adopted after August 28, 2009, shall be invalid and void.

9 3. All fees collected by a tax-exempt organization may be retained and used by the
10 organization.

11 4. All fees charged shall not exceed those in this section. The fees imposed by this
12 section shall be collected by all permanent offices and all full-time or temporary offices
13 maintained by the department of revenue.

14 5. Any person acting as agent of the department of revenue for the sale and issuance of
15 registrations, licenses, and other documents related to motor vehicles shall have an insurable
16 interest in all license plates, licenses, tabs, forms and other documents held on behalf of the
17 department.

18 6. Any person acting as agent of the department of revenue for the collection of sales and
19 use tax when required under sections 144.070 and 144.440 shall be entitled to deduct and retain
20 an amount equal to two percent of the motor vehicle sales tax under section 144.140 to offset the
21 actual cost incurred by such person, on behalf of the department of revenue, in the collection of
22 such taxes in accordance with the provisions of Article IV, Section 30(b) of the Missouri
23 Constitution.

24 7. The fees authorized by this section shall not be collected by motor vehicle dealers acting
25 as agents of the department of revenue under section 32.095 or those motor vehicle dealers
26 authorized to collect and remit sales tax under subsection 8 of section 144.070.

27 [7.] 8. Notwithstanding any other provision of law to the contrary, the state auditor may
28 audit all records maintained and established by the fee office in the same manner as the auditor
29 may audit any agency of the state, and the department shall ensure that this audit requirement is a
30 necessary condition for the award of all fee office contracts. No confidential records shall be
31 divulged in such a way to reveal personally identifiable information.”; and
32

33 Further amend said bill by amending the title, enacting clause, and intersectional references
34 accordingly.