

HOUSE \_\_\_\_\_ AMENDMENT NO. \_\_\_\_\_

Offered By

AMEND House Committee Substitute for Senate Bill No. 207, Page 21, Section 137.115, Line 198, by inserting after all of said section and line, the following:

“321.552. 1. Any ambulance or fire protection district may impose a sales tax as provided in this section, except in the following counties:

\_\_\_\_\_ (1) Any county of the first classification with over two hundred thousand inhabitants[, or];

\_\_\_\_\_ (2) Any county of the first classification [without a charter form of government and] with more than seventy-three thousand seven hundred but less than seventy-three thousand eight hundred inhabitants; [or]

\_\_\_\_\_ (3) Any county of the first classification [without a charter form of government and] with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants; [or]

\_\_\_\_\_ (4) Any county with a charter form of government with over one million inhabitants, except as provided in subsection 9 of this section; [or]

\_\_\_\_\_ (5) Any county with a charter form of government with over two hundred eighty thousand inhabitants but less than three hundred thousand inhabitants[.].

\_\_\_\_\_ 2. The governing body of any ambulance or fire protection district may impose a sales tax in an amount up to one-half of one percent on all retail sales made in such ambulance or fire protection district which are subject to taxation pursuant to the provisions of sections 144.010 to 144.525 provided that such sales tax shall be accompanied by a reduction in the district's tax rate as defined in section 137.073. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this section shall be effective unless the governing body of the ambulance or fire protection district submits to the voters of such ambulance or fire protection district, at a municipal or state general, primary or special election, a proposal to authorize the governing body of the ambulance or fire protection district to impose a tax pursuant to this section.

[2.] 3. The ballot of submission shall contain, but need not be limited to, the following language:

Shall ..... (insert name of ambulance or fire protection district) impose a sales tax of ..... (insert amount up to one-half) of one percent for the purpose of providing revenues for the operation of the ..... (insert name of ambulance or fire protection district) and the total property tax levy on properties in the ..... (insert name of the ambulance or fire protection district) shall be reduced annually by an amount which reduces property tax revenues by an amount equal to fifty percent of the previous year's revenue collected from this sales tax?

☐ YES

☐ NO

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

[3.] 4. If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the sales tax authorized in this section shall be in effect and the governing body of the ambulance or fire protection district shall lower the level of its tax rate by an amount which reduces property tax revenues by an amount equal to fifty percent of the amount of sales tax collected in the preceding year. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the ambulance or fire protection district shall not impose the sales tax authorized in this section unless and until the governing body of such ambulance or fire protection district resubmits a proposal to authorize the governing body of the ambulance or fire protection district to impose the sales tax authorized by this section and such proposal is approved by a majority of the qualified voters voting thereon.

[4.] 5. All revenue received by a district from the tax authorized pursuant to this section shall be deposited in a special trust fund, and be used solely for the purposes specified in the proposal submitted pursuant to this section for so long as the tax shall remain in effect.

[5.] 6. All sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". The moneys in the ambulance or fire protection district sales tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust and the amount collected in each district imposing a sales tax pursuant to this section, and the records shall be open to inspection by officers of the county and to the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the governing body of the district which levied the tax; such funds shall be

1 deposited with the board treasurer of each such district.

2 [6.] 7. The director of revenue may make refunds from the amounts in the trust fund and  
3 credit any district for erroneous payments and overpayments made, and may redeem dishonored  
4 checks and drafts deposited to the credit of such district. If any district abolishes the tax, the  
5 district shall notify the director of revenue of the action at least ninety days prior to the effective  
6 date of the repeal and the director of revenue may order retention in the trust fund, for a period of  
7 one year, of two percent of the amount collected after receipt of such notice to cover possible  
8 refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the  
9 credit of such accounts. After one year has elapsed after the effective date of abolition of the tax  
10 in such district, the director of revenue shall remit the balance in the account to the district and  
11 close the account of that district. The director of revenue shall notify each district of each  
12 instance of any amount refunded or any check redeemed from receipts due the district.

13 [7.] 8. Except as modified in this section, all provisions of sections 32.085 and 32.087  
14 shall apply to the tax imposed pursuant to this section.

15 9. Any fire protection district in any county with a charter form of government and with  
16 more than one million inhabitants with a general revenue operating budget of less than five  
17 million dollars to which section 72.418 applies may impose a sales tax as provided in this  
18 section.”; and  
19

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