

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Bill No. 1191, Page 6, Section 67.1842, Line 27, by inserting immediately after  
2 said line the following:

3  
4 "94.902. 1. (1) The governing body of the following cities may impose a sales tax as  
5 provided in this section:

6 (a) Any city of the third classification with more than twenty-six thousand three hundred but  
7 less than twenty-six thousand seven hundred inhabitants[, or];

8 (b) Any city of the fourth classification with more than thirty thousand three hundred but  
9 fewer than thirty thousand seven hundred inhabitants[, or];

10 (c) Any city of the fourth classification with more than twenty-four thousand eight hundred  
11 but fewer than twenty-five thousand inhabitants[.];

12 (d) Any city of the third classification with more than four thousand but fewer than four  
13 thousand five hundred inhabitants and located in any county of the first classification with more than  
14 two hundred thousand but fewer than two hundred sixty thousand inhabitants.

15 (2) The governing body of any city listed in subdivision (1) of this subsection may impose,  
16 by order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation  
17 under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-half  
18 of one percent, and shall be imposed solely for the purpose of improving the public safety for such  
19 city, including but not limited to expenditures on equipment, city employee salaries and benefits, and  
20 facilities for police, fire and emergency medical providers. The tax authorized in this section shall  
21 be in addition to all other sales taxes imposed by law, and shall be stated separately from all other  
22 charges and taxes. The order or ordinance imposing a sales tax under this section shall not become  
23 effective unless the governing body of the city submits to the voters residing within the city, at a  
24 county or state general, primary, or special election, a proposal to authorize the governing body of  
25 the city to impose a tax under this section.

26 2. The ballot of submission for the tax authorized in this section shall be in substantially the  
27 following form:

28 Shall the city of ..... (city's name) impose a citywide sales tax at a rate  
29 of ..... (insert rate of percent) percent for the purpose of improving the public safety of the city?

30 ☐ YES

☐ NO

31 Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to  
2 the question, place an "X" in the box opposite "NO". If a majority of the votes cast on the proposal  
3 by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and  
4 any amendments to the order or ordinance shall become effective on the first day of the second  
5 calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a  
6 majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the  
7 proposal, then the tax shall not become effective unless the proposal is resubmitted under this section  
8 to the qualified voters and such proposal is approved by a majority of the qualified voters voting on  
9 the proposal. However, in no event shall a proposal under this section be submitted to the voters  
10 sooner than twelve months from the date of the last proposal under this section.

11 3. Any sales tax imposed under this section shall be administered, collected, enforced, and  
12 operated as required in section 32.087. All sales taxes collected by the director of the department of  
13 revenue under this section on behalf of any city, less one percent for cost of collection which shall be  
14 deposited in the state's general revenue fund after payment of premiums for surety bonds as provided  
15 in section 32.087, shall be deposited in a special trust fund, which is hereby created in the state  
16 treasury, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund  
17 shall not be deemed to be state funds and shall not be commingled with any funds of the state. The  
18 provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be  
19 transferred and placed to the credit of the general revenue fund. The director shall keep accurate  
20 records of the amount of money in the trust fund and which was collected in each city imposing a  
21 sales tax under this section, and the records shall be open to the inspection of officers of the city and  
22 the public. Not later than the tenth day of each month the director shall distribute all moneys  
23 deposited in the trust fund during the preceding month to the city which levied the tax. Such funds  
24 shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from  
25 the trust fund shall be by an appropriation act to be enacted by the governing body of each such city.  
26 Expenditures may be made from the fund for any functions authorized in the ordinance or order  
27 adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds  
28 remaining in the special trust fund shall continue to be used solely for the designated purposes. Any  
29 funds in the special trust fund which are not needed for current expenditures shall be invested in the  
30 same manner as other funds are invested. Any interest and moneys earned on such investments shall  
31 be credited to the fund.

32 4. The director of the department of revenue may authorize the state treasurer to make  
33 refunds from the amounts in the trust fund and credited to any city for erroneous payments and  
34 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such  
35 cities. If any city abolishes the tax, the city shall notify the director of the action at least ninety days  
36 before the effective date of the repeal, and the director may order retention in the trust fund, for a  
37 period of one year, of two percent of the amount collected after receipt of such notice to cover  
38 possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to  
39 the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax  
40 in such city, the director shall remit the balance in the account to the city and close the account of  
41 that city. The director shall notify each city of each instance of any amount refunded or any check

1 redeemed from receipts due the city.

2 5. The governing body of any city that has adopted the sales tax authorized in this section  
3 may submit the question of repeal of the tax to the voters on any date available for elections for the  
4 city. The ballot of submission shall be in substantially the following form:

5 Shall ..... (insert the name of the city) repeal the sales tax imposed  
6 at a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of  
7 the city?

8 ☐ YES

☐ NO

9  
10 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become  
11 effective on December thirty-first of the calendar year in which such repeal was approved. If a  
12 majority of the votes cast on the question by the qualified voters voting thereon are opposed to the  
13 repeal, then the sales tax authorized in this section shall remain effective until the question is  
14 resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the  
15 qualified voters voting on the question.

16 6. Whenever the governing body of any city that has adopted the sales tax authorized in this  
17 section receives a petition, signed by ten percent of the registered voters of the city voting in the last  
18 gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the  
19 governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the  
20 votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal  
21 shall become effective on December thirty-first of the calendar year in which such repeal was  
22 approved. If a majority of the votes cast on the question by the qualified voters voting thereon are  
23 opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this  
24 section to the qualified voters and the repeal is approved by a majority of the qualified voters voting  
25 on the question.

26 7. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply  
27 to the tax imposed under this section."; and

28  
29 Further amend said bill by amending the title, enacting clause, and intersectional references  
30 accordingly.