

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 773, Page 12, Section 190.336, Line 88,
2 by inserting after all of said section and line the following:

3
4 "221.407. 1. The commission of any regional jail district may impose, by order, a sales tax
5 in the amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent,
6 or one-half of one percent on all retail sales made in such region which are subject to taxation
7 pursuant to the provisions of sections 144.010 to 144.525 for the purpose of providing jail services
8 and court facilities and equipment for such region. The tax authorized by this section shall be in
9 addition to any and all other sales taxes allowed by law, except that no order imposing a sales tax
10 pursuant to this section shall be effective unless the commission submits to the voters of the district,
11 on any election date authorized in chapter 115, a proposal to authorize the commission to impose a
12 tax.

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

14
15 Shall the regional jail district of (counties' names) impose a region-wide sales
16 tax of (insert amount) for the purpose of providing jail services and court facilities and
17 equipment for the region?

18
19 YES NO

20 If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the
21 question, place an "X" in the box opposite "No".

22 If a majority of the votes cast on the proposal by the qualified voters of the district voting thereon are
23 in favor of the proposal, then the order and any amendment to such order shall be in effect on the
24 first day of the second quarter immediately following the election approving the proposal. If the
25 proposal receives less than the required majority, the commission shall have no power to impose the
26 sales tax authorized pursuant to this section unless and until the commission shall again have
27 submitted another proposal to authorize the commission to impose the sales tax authorized by this
28 section and such proposal is approved by the required majority of the qualified voters of the district
29 voting on such proposal; however, in no event shall a proposal pursuant to this section be submitted
30 to the voters sooner than twelve months from the date of the last submission of a proposal pursuant
31 to this section.

Action Taken _____ Date _____

1 3. All revenue received by a district from the tax authorized pursuant to this section shall be
2 deposited in a special trust fund and shall be used solely for providing jail services and court
3 facilities and equipment for such district for so long as the tax shall remain in effect.

4 4. Once the tax authorized by this section is abolished or terminated by any means, all funds
5 remaining in the special trust fund shall be used solely for providing jail services and court facilities
6 and equipment for the district. Any funds in such special trust fund which are not needed for current
7 expenditures may be invested by the commission in accordance with applicable laws relating to the
8 investment of other county funds.

9 5. All sales taxes collected by the director of revenue pursuant to this section on behalf of
10 any district, less one percent for cost of collection which shall be deposited in the state's general
11 revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be
12 deposited in a special trust fund, which is hereby created, to be known as the "Regional Jail District
13 Sales Tax Trust Fund". The moneys in the regional jail district sales tax trust fund shall not be
14 deemed to be state funds and shall not be commingled with any funds of the state. The director of
15 revenue shall keep accurate records of the amount of money in the trust fund which was collected in
16 each district imposing a sales tax pursuant to this section, and the records shall be open to the
17 inspection of officers of each member county and the public. Not later than the tenth day of each
18 month the director of revenue shall distribute all moneys deposited in the trust fund during the
19 preceding month to the district which levied the tax. Such funds shall be deposited with the treasurer
20 of each such district, and all expenditures of funds arising from the regional jail district sales tax trust
21 fund shall be paid pursuant to an appropriation adopted by the commission and shall be approved by
22 the commission. Expenditures may be made from the fund for any function authorized in the order
23 adopted by the commission submitting the regional jail district tax to the voters.

24 6. The director of revenue may authorize the state treasurer to make refunds from the
25 amounts in the trust fund and credited to any district for erroneous payments and overpayments
26 made, and may redeem dishonored checks and drafts deposited to the credit of such districts. If any
27 district abolishes the tax, the commission shall notify the director of revenue of the action at least
28 ninety days prior to the effective date of the repeal, and the director of revenue may order retention
29 in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such
30 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and
31 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of
32 abolition of the tax in such district, the director of revenue shall remit the balance in the account to
33 the district and close the account of that district. The director of revenue shall notify each district in
34 each instance of any amount refunded or any check redeemed from receipts due the district.

35 7. Except as provided in this section, all provisions of sections 32.085 and 32.087 shall apply
36 to the tax imposed pursuant to this section.

37 8. The provisions of this section shall expire September 30, [2015] 2027."; and

38
39 Further amend said bill by amending the title, enacting clause, and intersectional references
40 accordingly.