House _____ **Amendment NO.**____

Offered By

_____   _____

1 AMEND House Bill No. 1865, Page 1, In the Title, Lines 2-3, by deleting the words, "tax
2 exemptions for utilities used in food preparation" and inserting in lieu thereof the words, "sales tax";
3 and
4
5 Further amend said bill, Page 10, Section 144.030, Line 308, by inserting after all of said section and
6 line the following:
7   "144.049. 1. For purposes of this section, the following terms mean:

8   (1) "Clothing", any article of wearing apparel, including footwear, intended to be worn on or
9 about the human body. The term shall include but not be limited to cloth and other material used to
10 make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to
11 qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags,
12 handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and
13   (2) "Personal computers", a laptop, desktop, or tower computer system which consists of a
14 central processing unit, random access memory, a storage drive, a display monitor, and a keyboard
15 and devices designed for use in conjunction with a personal computer, such as a disk drive, memory
16 module, compact disk drive, daughterboard, [digitalizer] digitizer, microphone, modem,
17 motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user
18 operating system, soundcard, or video card;
19   (3) "School supplies", any item normally used by students in a standard classroom for
20 educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments,
21 crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes.
22 The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or
23 desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall
24 also include computer software having a taxable value of three hundred fifty dollars or less and any
25 graphing calculator having a taxable value of one hundred fifty dollars or less.
26   2. In each year beginning on or after January 1, 2005, there is hereby specifically exempted
27 from state sales tax law all retail sales of any article of clothing having a taxable value of one
28 hundred dollars or less, all retail sales of school supplies not to exceed fifty dollars per purchase, all
29 computer software with a taxable value of three hundred fifty dollars or less, all graphing calculators
30 having a taxable value of one hundred fifty dollars or less, and all retail sales of personal computers
31 or computer peripheral devices not to exceed three thousand five hundred dollars, during a three-day

Action Taken_____ Date _____

1 period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday
2 following.
3   3. If the governing body of any political subdivision adopted an ordinance that applied to the
4 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to
5 apply to such political subdivision's local sales tax, then, notwithstanding any provision of a local
6 ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision's
7 local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005
8 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department
9 of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday
10 occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.
11   4. This section shall not apply to any sales which take place within the Missouri state
12 fairgrounds.
13   5. This section applies to sales of items bought for personal use only.
14   6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance
15 or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax.
16 After opting out, the political subdivision may rescind the ordinance or order. The political
17 subdivision must notify the department of revenue not less than forty-five calendar days prior to the
18 beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an
19 ordinance or order to opt out.
20   7. This section may not apply to any retailer when less than two percent of the retailer's
21 merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax
22 refund in lieu of the sales tax holiday."; and
23
24 Further amend said bill by amending the title, enacting clause, and intersectional references
25 accordingly.
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