

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 15, Page 1, Lines 2
2 and 3 of the Title, by deleting the words "a commission to study state tax policy" and inserting in lieu
3 thereof the words "political subdivisions"; and

4 Further amend said bill, Page 1, Section A, Line 2, by inserting after said line the following:

5 "34.042. 1. When the commissioner of administration determines that the use of competitive
6 bidding is either not practicable or not advantageous to the state, supplies may be procured by
7 competitive proposals. The commissioner shall state the reasons for such determination, and a report
8 containing those reasons shall be maintained with the vouchers or files pertaining to such purchases.
9 All purchases in excess of five thousand dollars to be made under this section shall be based on
10 competitive proposals.

11 2. On any purchase where the estimated expenditure shall be twenty-five thousand dollars or
12 over, the commissioner of administration shall:

13 (1) Advertise for proposals in at least two daily newspapers of general circulation in such
14 places as are most likely to reach prospective offerors and may advertise in at least two weekly
15 minority newspapers and may provide such information through an electronic medium available to
16 the general public at least five days before proposals for such purchases are to be opened. Other
17 methods of advertisement, however, may be adopted by the commissioner of administration when
18 such other methods are deemed more advantageous for the supplies to be purchased;

19 (2) Post notice of the proposed purchase; and

20 (3) Solicit proposals by mail or other reasonable method generally available to the public
21 from prospective offerors. All proposals for such supplies shall be mailed or delivered to the office
22 of the commissioner of administration so as to reach such office before the time set for opening
23 proposals. Proposals shall be opened in a manner to avoid disclosure of contents to competing
24 offerors during the process of negotiation.

25 3. The contract shall be let to the lowest and best offeror as determined by the evaluation
26 criteria established in the request for proposal and any subsequent negotiations conducted pursuant to
27 this subsection. In determining the lowest and best offeror, as provided in the request for proposals
28 and under rules promulgated by the commissioner of administration, negotiations may be conducted
29 with responsible offerors who submit proposals selected by the commissioner of administration on

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the basis of reasonable criteria for the purpose of clarifying and assuring full understanding of and responsiveness to the solicitation requirements. Those offerors shall be accorded fair and equal treatment with respect to any opportunity for negotiation and subsequent revision of proposals. Revisions may be permitted after submission and before award for the purpose of obtaining best and final offers. In conducting negotiations there shall be no disclosure of any information derived from proposals submitted by competing offerors. The commissioner of administration shall have the right to reject any or all proposals and advertise for new proposals or purchase the required supplies on the open market if they can be so purchased at a better price.

4. The director of the department of revenue shall follow bidding procedures as contained in this chapter and may promulgate rules necessary to establish such procedures. No points shall be awarded on a request for proposal for a contract license office to a bidder for a return-to-the-state provision offer.

5. The commissioner shall make available, upon request, to any members of the general assembly, information pertaining to competitive proposals, including the names of bidders and the amount of each bidder's offering for each contract.

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 under section 34.042. 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 shall not consider any offer to provide the state a portion of the fees collected as part of the competitive bidding process and no preference points shall be awarded on a request for proposal for a contract license office to a bidder for a return-to-the-state provision offer. The director may promulgate rules and regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority

1 delegated in this subsection shall become effective only if it complies with and is subject to all of the
2 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
3 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to
4 review, to delay the effective date, or to disapprove and annul a rule are subsequently held
5 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
6 August 28, 2009, shall be invalid and void.

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

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

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

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

18 7. Notwithstanding any other provision of law to the contrary, the state auditor may audit all
19 records maintained and established by the fee office in the same manner as the auditor may audit any
20 agency of the state, and the department shall ensure that this audit requirement is a necessary
21 condition for the award of all fee office contracts. No confidential records shall be divulged in such
22 a way to reveal personally identifiable information."; and

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