

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 612, Page , Section , Line , Page 1, In the Title, Lines 4-5, by deleting the words "a
2 prohibition on certain telecommunications items being possessed in"; and
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4 Further amend said bill, Page 3, Section 221.111, Line 42, by inserting after all of said section and line the
5 following:
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7 " 221.407. 1. The commission of any regional jail district may impose, by order, a sales tax in the
8 amount of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half of
9 one percent on all retail sales made in such region which are subject to taxation pursuant to the provisions of
10 sections 144.010 to 144.525 for the purpose of providing jail services and court facilities and equipment for
11 such region. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by
12 law, except that no order imposing a sales tax pursuant to this section shall be effective unless the commission
13 submits to the voters of the district, on any election date authorized in chapter 115, a proposal to authorize the
14 commission to impose a tax.

15 2. The ballot of submission shall contain, but need not be limited to, the following language:
16

17 Shall the regional jail district of (counties' names) impose a region-wide sales tax of
18 (insert amount) for the purpose of providing jail services and court facilities and equipment for the
19 region?
20

21 ☐ YES ☐ NO

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

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

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

Action Taken _____ Date _____

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

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

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

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

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

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