

FIRST REGULAR SESSION

# HOUSE BILL NO. 1157

## 100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE GRIESHEIMER.

2368H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To amend chapter 226, RSMo, by adding thereto one new section relating to transportation funding districts.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 226, RSMo, is amended by adding thereto one new section, to be known as section 226.199, to read as follows:

**226.199. 1. Upon application by any proposed county or counties, the department of transportation shall establish by rule one or more special transportation funding districts consisting of one or more counties, including for purposes of this section any city not within a county, of the state. Each county shall be a member of only one special transportation funding district.**

**2. (1) The counties of each district shall submit to voters at the next general election a question of whether there shall be imposed within the district for a period of ten years a sales tax of four cents on all motor fuel purchased within the district, with proceeds of the tax to be used as provided in this section.**

**(2) Upon an affirmative vote by a majority of voters voting on the question in a district, there shall be levied within that district for a period of ten years a sales tax of four percent on all motor fuel purchased within the district, with proceeds of the tax to be used as provided in this section.**

**3. Proceeds from a tax imposed under this section shall be distributed as follows:**

**(1) Thirty percent to the counties, incorporated cities, towns, and villages within each district, in the same proportion as to the amount each receives under subdivisions (1) and (2) of subsection 1 of Section 30(a), Article IV of the Constitution of Missouri, to be**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 used solely for the construction, reconstruction, maintenance, or repairs of roads, bridges,  
19 or highways; and

20 (2) Seventy percent shall be deposited in the special transportation funding districts  
21 fund established in subsection 4 of this section, to the credit of the district from which the  
22 proceeds originated.

23 4. (1) There is hereby created within the state treasury the "Special  
24 Transportation Funding Districts Fund", which shall consist of moneys collected under  
25 this section. The state treasurer shall be custodian of the fund. In accordance with sections  
26 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a  
27 dedicated fund and shall stand appropriated for use by the highways and transportation  
28 commission without legislative action for the construction and maintenance of the state  
29 highway system.

30 (2) Notwithstanding the provisions of section 33.080 to the contrary, any moneys  
31 remaining in the fund at the end of the biennium shall not revert to the credit of the  
32 general revenue fund.

33 (3) The state treasurer shall invest the moneys in the fund in the same manner as  
34 other funds are invested. Any interest and moneys earned on such investments shall be  
35 credited to the fund.

36 (4) Disbursements from the fund shall be used solely for construction and  
37 maintenance of the state highway system. Moneys from the fund shall be expended solely  
38 within the district from which the moneys originated, and such expenditures shall be in  
39 addition to moneys expended from the state road fund created in Section 30(b), Article IV  
40 of the Constitution of Missouri, and shall in no way reduce, displace, or delay future  
41 expenditures within the district from the state road fund created in Section 30(b), Article  
42 IV of the Constitution of Missouri.

43 5. The director of the department of transportation may promulgate rules to  
44 establish special transportation funding districts as provided by this section. Any rule or  
45 portion of a rule, as that term is defined in section 536.010, that is created under the  
46 authority delegated in this section shall become effective only if it complies with and is  
47 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This  
48 section and chapter 536 are nonseverable, and if any of the powers vested with the general  
49 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove  
50 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
51 authority and any rule proposed or adopted after August 28, 2019, shall be invalid and  
52 void.

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