

HCS HB 1336 -- RELATING TO TRANSIENT GUEST TAXES

SPONSOR: Riggs

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Local Government by a vote of 13 to 0.

The following is a summary of the House Committee Substitute for HB 1336.

This bill prohibits any city, county, town, village, or political subdivision from adopting or enforcing an ordinance, order, or regulation that requires a permit for the installation or use of a battery-charged fence in addition to an alarm system permit issued by the city, county, town, village, or political subdivision. Additionally, such political subdivisions can not adopt an ordinance or order that imposes installation requirements for such fences or alarm systems or prohibit the use of a battery-charged fence.

As used in the bill, a battery-charged fence is a fence that interfaces with an alarm system in a manner that enables the fence to cause the connected alarm system to transmit a signal to summon law enforcement in response to a burglary. The fence must be located on a property not designated for residential use, produce not more than 12 volts of direct current, as well as meet other specifications as provided in the bill (Section 67.301, RSMo).

This bill also authorizes certain cities, upon voter approval, to impose a transient guest tax not to exceed 6% per occupied room per night, for general purposes (Section 67.1011).

If enacted, this provision initially would only apply to the City of Butler.

The bill authorizes certain cities, upon voter approval, to impose a transient guest tax in an amount of no more than 6% per occupied room per night, for general revenue purposes (Section 67.1013).

If enacted, this provision initially would only apply to the City of Harrisonville.

The bill authorizes certain cities, upon voter approval, to impose a transient guest tax of 2% up to 5% per occupied room per night, to be used solely for funding the promotion of tourism (Section 67.1360).

If enacted, the new provisions would initially only apply to the cities of Cameron and Marceline.

The bill authorizes certain cities, upon voter approval, to impose a transient guest tax of up to 5% per occupied room per night, to be used for the promotion of tourism (Section 94.834).

If enacted, this provision initially would only apply to the City of Smithville.

The bill changes the purpose for which a certain transient guest tax and a certain food sales tax is authorized from capital improvements to general revenue purposes, and increases the authorized rate of the food sales tax from 2% to 6% (Section 94.838).

Currently, these taxes are only authorized for the City of Lamar Heights.

The bill authorizes certain home rule cities, upon voter approval, to impose a transient guest tax not to exceed 2.5% of the charges per occupied room per night, to be used solely for capital investments that can be demonstrated to increase the number of overnight visitors (Section 94.842).

If enacted, this provision initially would only apply to the City of Springfield.

The bill authorizes certain cities, upon voter approval, to impose a transient guest tax of up to 5% per occupied room per night, to be used for the promotion of tourism, growth of the region, economic development purposes, and public safety purposes (Section 94.1014).

If enacted, this provision initially would only apply to the City of Ashland.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

**PROPONENTS:** Supporters say that these types of fences are used to dissuade trespassers, not injure them. There is a difference between an electrical fence that is dangerous and one that gives a warning.

Testifying for the bill were Representative Riggs; Arnie C. Dienoff; Michael Pate, Amarok, LLC; and Woody Cozad, Amarok, Inc..

**OPPONENTS:** There was no opposition voiced to the committee.

This bill is similar to SB 470 (2021); HB 252 (2021).

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.