

House _____ Amendment NO. _____

Offered By

1 AMEND House Substitute for House Committee Substitute for Senate Substitute for Senate
2 Committee Substitute for Senate Bill No. 133, Page 1, Section A, Line 4, by inserting after all of
3 said section and line the following:
4

5 "94.583. 1. The governing body of any city of the fourth classification with more than one
6 thousand five hundred but fewer than two thousand inhabitants and partially located in any county
7 of the third classification without a township form of government and with more than twenty-three
8 thousand but fewer than twenty-six thousand inhabitants may impose, by ordinance or order, a sales
9 tax in the amount of up to one percent on all retail sales made in such city which are subject to
10 taxation under the provisions of sections 144.010 to 144.525 for the purpose of infrastructure for
11 such city, including but not limited to expenditures on road surfaces, traffic safety improvements,
12 sidewalks, water mains, sewer mains, water towers, and sewer lift stations. The tax authorized by
13 this section shall be in addition to any and all other sales taxes allowed by law, except that no
14 ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective
15 unless the governing body of the city submits to the voters of the city, at a county or state general,
16 primary, or special election, a proposal to authorize the governing body of the city to impose a tax.

17 2. If the proposal submitted involves only authorization to impose the tax authorized by this
18 section, the ballot of submission shall contain, but need not be limited to, the following language:

19 Shall the city of _____ (city's name) impose a citywide sales tax of _____ (insert
20 amount) for the purpose of improving the infrastructure of the city?

☐ YES

☐ NO

21 If you are in favor of the question, place an "X" in the box opposite "YES". If you are
22 opposed to the question, place an "X" in the box opposite "NO".

23
24 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of
25 the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments
26 thereto shall be in effect on the first day of the second calendar quarter after the director of revenue
27 receives notification of adoption of the local sales tax. If a proposal receives less than the required
28 majority, then the governing body of the city shall have no power to impose the sales tax herein

Action Taken _____ Date _____

1 authorized unless and until the governing body of the city shall again have submitted another
2 proposal to authorize the governing body of the city to impose the sales tax authorized by this
3 section and such proposal is approved by the required majority of the qualified voters voting
4 thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters
5 sooner than twelve months from the date of the last proposal pursuant to this section.

6 3. All revenue received by a city from the tax authorized under the provisions of this section
7 shall be deposited in a special trust fund and shall be used solely for capital improvements for public
8 safety for such city for so long as the tax shall remain in effect.

9 4. Once the tax authorized by this section is abolished or is terminated by any means, all
10 funds remaining in the special trust fund shall be used solely for capital improvements for public
11 safety for the city. Any funds in such special trust fund which are not needed for current
12 expenditures may be invested by the governing body in accordance with applicable laws relating to
13 the investment of other city funds.

14 5. All sales taxes collected by the director of the department of revenue under this section
15 on behalf of any city, less one percent for cost of collection which shall be deposited in the state's
16 general revenue fund after payment of premiums for surety bonds as provided in section 32.087,
17 shall be deposited in a special trust fund, which is hereby created, to be known as the "City
18 Infrastructure Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state
19 funds and shall not be commingled with any funds of the state. The provisions of section 33.080 to
20 the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of
21 the general revenue fund. The director of the department of revenue shall keep accurate records of
22 the amount of money in the trust and which was collected in each city imposing a sales tax pursuant
23 to this section, and the records shall be open to the inspection of officers of the city and the public.
24 Not later than the tenth day of each month the director of the department of revenue shall distribute
25 all moneys deposited in the trust fund during the preceding month to the city which levied the tax;
26 such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds
27 arising from the trust fund shall be by an appropriation act to be enacted by the governing body of
28 each such city. Expenditures may be made from the fund for any functions authorized in the
29 ordinance or order adopted by the governing body submitting the tax to the voters.

30 6. The director of the department of revenue may make refunds from the amounts in the
31 trust fund and credited to any city for erroneous payments and overpayments made, and may redeem
32 dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the
33 city shall notify the director of the department of revenue of the action at least ninety days prior to
34 the effective date of the repeal and the director of the department of revenue may order retention in
35 the trust fund, for a period of one year, of two percent of the amount collected after receipt of such
36 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and
37 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of
38 abolition of the tax in such city, the director of the department of revenue shall remit the balance in
39 the account to the city and close the account of that city. The director of the department of revenue

- 1 shall notify each city of each instance of any amount refunded or any check redeemed from receipts
- 2 due the city."; and
- 3
- 4 Further amend said bill by amending the title, enacting clause, and intersectional references
- 5 accordingly.