

FIRST REGULAR SESSION

HOUSE BILL NO. 177

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE VAN SCHOIACK.

0707H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 94.510, RSMo, and to enact in lieu thereof one new section relating to local sales tax.

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

Section A. Section 94.510, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 94.510, to read as follows:

94.510. 1. Any city may, by a majority vote of its council or governing body, impose a city sales tax for the benefit of such city in accordance with the provisions of sections 94.500 to 94.550; provided, however, that no ordinance enacted pursuant to the authority granted by the provisions of sections 94.500 to 94.550 shall be effective unless the legislative body of the city submits to the voters of the city, at a public election, a proposal to authorize the legislative body of the city to impose a tax under the provisions of sections 94.500 to 94.550. The ballot of submission shall be in substantially the following form:

Shall the city of _____ (insert name of city) impose a city sales tax of _____ (insert rate of percent) percent?

YES NO

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If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance and any amendments thereto shall be in effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the legislative body of the city shall have no power to impose the tax herein authorized unless and until the legislative body of the city shall again have submitted another proposal to authorize

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.

17 the legislative body of the city to impose the tax under the provisions of sections 94.500 to
18 94.550, and such proposal is approved by a majority of the qualified voters voting thereon.

19 2. The sales tax may be imposed at a rate not to exceed one percent on the receipts
20 from the sale at retail of all tangible personal property or taxable services at retail within any
21 city adopting such tax, if such property and services are subject to taxation by the state of
22 Missouri under the provisions of sections 144.010 to 144.525; except that, each city not
23 within a county may impose such tax at a rate not to exceed one and three-eighths percent.
24 ~~[Beginning August 28, 2017, no city shall submit to the voters any proposal that results in a~~
25 ~~combined rate of sales taxes adopted under this section in excess of two percent.]~~

26 3. If any city in which a city tax has been imposed in the manner provided for in
27 sections 94.500 to 94.550 shall thereafter change or alter its boundaries, the city clerk of the
28 city shall forward to the director of revenue by United States registered mail or certified mail
29 a certified copy of the ordinance adding or detaching territory from the city. The ordinance
30 shall reflect the effective date thereof, and shall be accompanied by a map of the city clearly
31 showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and
32 map, the tax imposed by the act shall be effective in the added territory or abolished in the
33 detached territory on the effective date of the change of the city boundary.

34 4. If any city abolishes the tax authorized under this section, the repeal of such tax
35 shall become effective December thirty-first of the calendar year in which such abolishment
36 was approved. Each city shall notify the director of revenue at least ninety days prior to the
37 effective date of the expiration of the sales tax authorized by this section and the director of
38 revenue may order retention in the trust fund, for a period of one year, of two percent of the
39 amount collected after receipt of such notice to cover possible refunds or overpayment of
40 such tax and to redeem dishonored checks and drafts deposited to the credit of such accounts.
41 After one year has elapsed after the date of expiration of the tax authorized by this section in
42 such city, the director of revenue shall remit the balance in the account to the city and close
43 the account of that city. The director of revenue shall notify each city of each instance of any
44 amount refunded or any check redeemed from receipts due the city.

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