

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 1039, Page 13, Section 226.224, Line 3,
2 by inserting after all of said section and line the following:

3
4 "578.100. 1. Whoever engages on Sunday in the business of selling or sells or offers for
5 sale on such day, at retail, motor vehicles[; ~~clothing and wearing apparel; clothing accessories;~~
6 ~~furniture; housewares; home, business or office furnishings; household, business or office~~
7 ~~appliances; hardware; tools; paints; building and lumber supply materials; jewelry; silverware;~~
8 ~~watches; clocks; luggage; musical instruments and recordings or toys; excluding novelties and~~
9 ~~souvenirs;] is guilty of a misdemeanor and shall upon conviction for the first offense be sentenced to
10 pay a fine of not exceeding one hundred dollars, and for the second or any subsequent offense be
11 sentenced to pay a fine of not exceeding two hundred dollars or undergo confinement not exceeding
12 thirty days in the county jail in default thereof.~~

13 2. Each separate sale or offer to sell shall constitute a separate offense.

14 3. Information charging violations of this section shall be brought within five days after the
15 commission of the alleged offense and not thereafter.

16 4. The operation of any place of business where any [~~goods, wares or merchandise~~] motor
17 vehicles are sold or exposed for sale in violation of this section is hereby declared to be a public and
18 common nuisance.

19 5. Any county of this state containing all or part of a city with a population of over four
20 hundred thousand may exempt itself from the application of this section by submission of the
21 proposition to the voters of the county at a general election or a special election called for that
22 purpose, and the proposition receiving a majority of the votes cast therein. The proposal to exempt
23 the county from the provisions of this section shall be submitted to the voters of the county upon a
24 majority vote of the governing body of the county or when a petition requesting the submission of
25 the proposal to the voters and signed by a number of qualified voters residing in the county equal to
26 eight percent of the votes cast in the county in the next preceding gubernatorial election is filed with
27 the governing body of the county. The ballot of submission shall contain, but not be limited to, the
28 following language:

29
30 FOR the exemption of _____ County from the Sunday sales law

31 AGAINST the exemption of _____ County from the Sunday sales law

32
33
34 If a majority of the votes cast on the proposal by the qualified voters voting thereon in the county
35 are in favor of the proposal, then the provisions of this section shall no longer apply within that
36 county. If a majority of the votes cast on the proposal by the qualified voters voting thereon in the

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1 county are opposed to the proposal, then the provisions of this section shall continue to apply and be
2 enforced within that county. The exemption of any county from the provisions of this section shall
3 not become effective in that county until the results of the vote exempting the county have been
4 filed with the secretary of state and with the revisor of statutes and have been certified as received
5 by those officers. The revisor of statutes shall note which counties are exempt from the provisions
6 of this section in the Missouri revised statutes.

7 6. In addition to any other method of exemption provided by law, the governing body of any
8 county of this state may exempt itself from the application of this section by order or ordinance of
9 the governing body of the county after public hearing upon the matter. Such public hearing shall be
10 preceded by public notice which shall, at a minimum, be published at least three different times in
11 the newspaper with the greatest circulation in the county. Upon such order or ordinance becoming
12 effective, such county shall be exempt from the provisions of this section and no election or other
13 method of exemption shall be required. The exemption of any county from the provisions of this
14 section by order or ordinance shall not become effective in that county until the order or ordinance
15 has been filed with the secretary of state and the revisor of statutes and has been certified as
16 received by those officers. The revisor of statutes shall note which counties are exempt from the
17 provisions of this section in the Missouri revised statutes."; and

18
19 Further amend said bill by amending the title, enacting clause, and intersectional references
20 accordingly.