

SECOND REGULAR SESSION

HOUSE BILL NO. 2771

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRAY.

5681H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 144.014, 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Section A. Section 144.014, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 144.014, to read as follows:

144.014. 1. Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, the tax levied and imposed under this chapter on all retail sales of food shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

2. **Notwithstanding any provision of law to the contrary, there shall be no local sales tax, as that term is defined under section 32.085, levied or imposed on any retail sale of food in this state.**

3. For the purposes of this section, the term "food" shall include only those products and types of food for which ~~[food stamps]~~ **benefits** may be redeemed pursuant to the provisions of the ~~[Federal Food Stamp]~~ **Supplemental Nutrition Assistance** Program as ~~[contained]~~ **described** in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section, except for vending machine sales, the term "food" shall not include food or drink sold by any establishment where the gross receipts derived from the sale of food prepared by such establishment for immediate consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that

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 establishment, regardless of whether such prepared food is consumed on the premises of that
19 establishment, including, but not limited to, sales of food by any restaurant, fast food
20 restaurant, delicatessen, eating house, or café.

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WITHDRAWN