

SECOND REGULAR SESSION

HOUSE BILL NO. 3151

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CHRIST.

4242H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 144.014, RSMo, and to enact in lieu thereof one new section relating to the sales and use tax imposed on certain products.

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Section A. Section 144.014, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 144.014, to read as follows: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. 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 **and all dietary and nutritional supplements. For the purpose of this section, the term "dietary and nutritional supplements" shall have the same meaning as the term "dietary supplements" as defined under 21 U.S.C. Section 321(ff).** 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 establishment,

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

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