

SECOND REGULAR SESSION

HOUSE BILL NO. 2665

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOBE.

5819H.02I

JOSEPH ENGLER, Chief Clerk

AN ACT

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Section A. Section 144.014, RSMo, is repealed and one new section enacted in lieu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

144.014. 1. Notwithstanding other provisions of law to the contrary, beginning
2 October 1, 1997, **and ending on December 31, 2026**, the tax levied and imposed under this
3 chapter on all retail sales of food shall be at the rate of one percent. The revenue derived from
4 the one percent rate pursuant to this section shall be deposited by the state treasurer in the
5 school district trust fund and shall be distributed as provided in section 144.701.

6 2. **Notwithstanding any provision of law to the contrary, beginning January 1,
7 2027, no state sales or use tax shall be levied or imposed on any retail sale of food in this
8 state. The exemption granted under this subsection shall not apply to local sales tax as
9 defined under section 32.085 or local use tax levied or imposed as authorized by law.**

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

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 the establishment constitutes more than eighty percent of the total gross receipts of that
19 establishment, regardless of whether such prepared food is consumed on the premises of that
20 establishment, including, but not limited to, sales of food by any restaurant, fast food
21 restaurant, delicatessen, eating house, or café.

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