

SECOND REGULAR SESSION

SENATE BILL NO. 768

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR PEARCE.

Read 1st time January 23, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5109S.01I

AN ACT

To repeal section 182.802, RSMo, and to enact in lieu thereof one new section relating to public library district sales taxes.

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

Section A. Section 182.802, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 182.802, to read as follows:

182.802. 1. (1) Any public library district located in any of the following
2 counties may impose a tax as provided in this section:

3 (a) At least partially within any county of the third classification without
4 a township form of government and with more than forty thousand eight hundred
5 but fewer than forty thousand nine hundred inhabitants;

6 (b) Any county of the third classification without a township form of
7 government and with more than thirteen thousand five hundred but fewer than
8 thirteen thousand six hundred inhabitants;

9 (c) Any county of the third classification without a township form of
10 government and with more than thirteen thousand two hundred but fewer than
11 thirteen thousand three hundred inhabitants;

12 (d) Any county of the third classification with a township form of
13 government and with more than twenty-nine thousand seven hundred but fewer
14 than twenty-nine thousand eight hundred inhabitants;

15 (e) Any county of the second classification with more than nineteen
16 thousand seven hundred but fewer than nineteen thousand eight hundred
17 inhabitants;

18 (f) Any county of the third classification with a township form of
19 government and with more than thirty-three thousand one hundred but fewer
20 than thirty-three thousand two hundred inhabitants;

21 (g) Any county of the third classification without a township form of
 22 government and with more than eighteen thousand but fewer than twenty
 23 thousand inhabitants and with a city of the third classification with more than
 24 six thousand but fewer than seven thousand inhabitants as the county seat;

25 **(h) Any county of the fourth classification with more than twenty**
 26 **thousand but fewer than thirty thousand inhabitants.**

27 (2) Any public library district listed in subdivision (1) of this subsection
 28 may, by a majority vote of its board of directors, impose a tax not to exceed
 29 one-half of one cent on all retail sales subject to taxation under sections 144.010
 30 to 144.525 for the purpose of funding the operation and maintenance of public
 31 libraries within the boundaries of such library district. The tax authorized by
 32 this subsection shall be in addition to all other taxes allowed by law. No tax
 33 under this subsection shall become effective unless the board of directors submits
 34 to the voters of the district, at a county or state general, primary or special
 35 election, a proposal to authorize the tax, and such tax shall become effective only
 36 after the majority of the voters voting on such tax approve such tax.

37 2. In the event the district seeks to impose a sales tax under this
 38 subsection, the question shall be submitted in substantially the following form:

39 Shall a cent sales tax be levied on all retail sales within the district
 40 for the purpose of providing funding for library district?

41 YES NO

42 If a majority of the votes cast on the proposal by the qualified voters voting
 43 thereon are in favor of the proposal, then the tax shall become effective. If a
 44 majority of the votes cast by the qualified voters voting are opposed to the
 45 proposal, then the board of directors shall have no power to impose the tax unless
 46 and until another proposal to authorize the tax is submitted to the voters of the
 47 district and such proposal is approved by a majority of the qualified voters voting
 48 thereon. The provisions of sections 32.085 and 32.087 shall apply to any tax
 49 approved under this subsection.

50 3. As used in this section, "qualified voters" or "voters" means any
 51 individuals residing within the district who are eligible to be registered voters
 52 and who have registered to vote under chapter 115, or, if no individuals are
 53 eligible and registered to vote reside within the proposed district, all of the
 54 owners of real property located within the proposed district who have
 55 unanimously petitioned for or consented to the adoption of an ordinance by the
 56 governing body imposing a tax authorized in this section. If the owner of the

57 property within the proposed district is a political subdivision or corporation of
58 the state, the governing body of such political subdivision or corporation shall be
59 considered the owner for purposes of this section.

60 4. For purposes of this section the term "public library district" shall
61 mean any city library district, county library district, city-county library district,
62 municipal library district, consolidated library district, or urban library district.

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