

FIRST REGULAR SESSION

# SENATE BILL NO. 161

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR COLEMAN.

0896S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 144.014, RSMo, and to enact in lieu thereof one new section relating to a sales tax exemption for food.

*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Section A. Section 144.014, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 144.014, to read as follows: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]** **exempted from the provisions of and from the computation of the tax levied, assessed, or payable pursuant to this chapter, the local sales tax law as defined in section 32.085, and section 238.235.**

2. For the purposes of this section, the term "food" shall include only those products and types of food for which food stamps may be redeemed pursuant to the provisions of the Federal Food Stamp Program as contained 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,

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 except for vending machine sales, the term "food" shall not  
20 include food or drink sold by any establishment where the  
21 gross receipts derived from the sale of food prepared by  
22 such establishment for immediate consumption on or off the  
23 premises of the establishment constitutes more than eighty  
24 percent of the total gross receipts of that establishment,  
25 regardless of whether such prepared food is consumed on the  
26 premises of that establishment, including, but not limited  
27 to, sales of food by any restaurant, fast food restaurant,  
28 delicatessen, eating house, or café.

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