

SENATE BILL NO. 20

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR WILLIAMS.

0605S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 67.547, RSMo, and to enact in lieu thereof two new sections relating to a sales tax for early childhood educational services.

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

Section A. Section 67.547, RSMo, is repealed and two new
2 sections enacted in lieu thereof, to be known as sections 67.547
3 and 67.5420, to read as follows:

67.547. 1. In addition to the tax authorized by
2 section 67.505, any county as defined in section 67.750 may,
3 by a majority vote of its governing body, impose an
4 additional county sales tax on all sales which are subject
5 to taxation under the provisions of sections 144.010 to
6 144.525. The tax authorized by this section shall be in
7 addition to any and all other sales tax allowed by law;
8 except that no ordinance or order imposing a sales tax under
9 the provisions of this section shall be effective unless the
10 governing body of the county submits to the voters of the
11 county, at a county or state general, primary or special
12 election, a proposal to authorize the governing body of the
13 county to impose such tax.

14 2. The ballot of submission shall contain, but need
15 not be limited to the following language:

16 Shall the county of _____ (county's name) impose
17 a countywide sales tax of _____ (insert rate)

18 percent for the purpose of _____ (insert
19 purpose)?

20 YES NO

21 If you are in favor of the question, place an "X"
22 in the box opposite "YES". If you are opposed to
23 the question, place an "X" in the box opposite "NO".
24

25 If a majority of the votes cast on the proposal by the
26 qualified voters voting thereon are in favor of the
27 proposal, then the ordinance or order and any amendments
28 thereto shall be in effect. If a majority of the votes cast
29 by the qualified voters voting are opposed to the proposal,
30 then the governing body of the county shall have no power to
31 impose the sales tax as herein authorized unless and until
32 the governing body of the county submits another proposal to
33 authorize the governing body of the county to impose the
34 sales tax under the provisions of this section and such
35 proposal is approved by a majority of the qualified voters
36 voting thereon. A county shall not submit to the voters a
37 proposed sales tax under this section for a period of two
38 years from the date of an election in which the county
39 previously submitted to the voters a proposed sales tax
40 under this section, regardless of whether the initial
41 proposed sales tax was approved or disapproved by the
42 voters. The revenue collected from the sales tax authorized
43 under this section shall only be used for the purpose
44 approved by voters of the county.

45 3. The sales tax may be imposed at a rate of one-
46 eighth of one percent, one-fourth of one percent, three-
47 eighths of one percent, or one-half of one percent on the
48 receipts from the sale at retail of all tangible personal

49 property or taxable services at retail within any county
50 adopting such tax if such property and services are subject
51 to taxation by the state of Missouri under the provisions of
52 sections 144.010 to 144.525. In any city not within a
53 county or any county described in subsection 5 of this
54 section, no sales tax for the purpose of funding zoological
55 activities and zoological facilities as those terms are
56 defined in section 184.500 shall exceed a rate of one-eighth
57 of one percent unless the sales tax was levied and collected
58 before August 28, 2017. Beginning August 28, 2017, no
59 county shall submit to the voters any proposal that results
60 in a combined rate of sales taxes adopted under this section
61 in excess of one percent.

62 4. Except as modified in this section, all provisions
63 of sections 32.085 and 32.087 shall apply to the tax imposed
64 under this section.

65 5. In any first class county having a charter form of
66 government and having a population of nine hundred thousand
67 or more, the proceeds of the sales tax authorized by this
68 section shall be distributed so that an amount equal to
69 three-eighths of the proceeds of the tax shall be
70 distributed to the county and the remaining five-eighths
71 shall be distributed to the cities, towns and villages and
72 the unincorporated area of the county on the ratio that the
73 population of each bears to the total population of the
74 county. Three-eighths of the tax rate adopted by such a
75 county shall be included in the calculation of the county's
76 one percent combined tax rate ceiling provided in subsection
77 3 of this section. The population of each city, town or
78 village and the unincorporated area of the county and the
79 total population of the county shall be determined on the
80 basis of the most recent federal decennial census. The

81 provisions of this subsection shall not apply if the revenue
82 collected is used to support zoological activities of the
83 zoological subdistrict as defined under section 184.352.

84 **The provisions of this subsection shall not apply if the**
85 **revenue collected is used for the purpose of early childhood**
86 **education services, and such revenues shall be deposited in**
87 **the early childhood education fund and administered pursuant**
88 **to section 67.5420.**

89 6. Except as prohibited under section 184.353,
90 residents of any county that does not adopt a sales tax
91 under this section for the purpose of supporting zoological
92 activities may be charged an admission fee for zoological
93 facilities, programs, or events that are not part of the
94 zoological subdistrict defined under subdivision (15) of
95 section 184.352 as of August 28, 2017.

96 7. In any county of the second classification with
97 more than nineteen thousand seven hundred but fewer than
98 nineteen thousand eight hundred inhabitants, the proceeds of
99 the sales tax authorized by this section shall be
100 distributed so that an amount equal to three-fourths of the
101 proceeds of the tax shall be distributed to the county and
102 the remaining one-fourth shall be distributed equally among
103 the incorporated cities, towns, and villages of the county.
104 Upon request from any city, town, or village within the
105 county, the county shall make available for inspection the
106 distribution report provided to the county by the department
107 of revenue. Any expenses incurred by the county in
108 supplying such report to a city, town, or village shall be
109 paid by such city, town, or village.

110 8. In any first class county having a charter form of
111 government and having a population of nine hundred thousand
112 or more, no tax shall be imposed pursuant to this section

113 for the purpose of funding in whole or in part the
114 construction, operation or maintenance of a sports stadium,
115 field house, indoor or outdoor recreational facility,
116 center, playing field, parking facility or anything
117 incidental or necessary to a complex suitable for any type
118 of professional sport or recreation, either upon, above or
119 below the ground.

120 9. No county in this state, other than a county with a
121 charter form of government and with more than nine hundred
122 fifty thousand inhabitants and a city not within a county,
123 shall impose a tax under this section for the purpose of
124 funding in whole or in part the construction, operation, or
125 maintenance of any zoological activities, zoological
126 facilities, zoological organizations, the metropolitan
127 zoological park and museum district as created under section
128 184.350, or any zoological boards.

129 10. The director of revenue may authorize the state
130 treasurer to make refunds from the amounts in the trust fund
131 and credited to any county for erroneous payments and
132 overpayments made, and may redeem dishonored checks and
133 drafts deposited to the credit of such counties. If any
134 county abolishes the tax, the county shall notify the
135 director of revenue of the action at least ninety days prior
136 to the effective date of the repeal and the director of
137 revenue may order retention in the trust fund, for a period
138 of one year, of two percent of the amount collected after
139 receipt of such notice to cover possible refunds or
140 overpayment of the tax and to redeem dishonored checks and
141 drafts deposited to the credit of such accounts. After one
142 year has elapsed after the effective date of abolition of
143 the tax in such county, the director of revenue shall remit
144 the balance in the account to the county and close the

145 account of that county. The director of revenue shall
146 notify each county of each instance of any amount refunded
147 or any check redeemed from receipts due the county.

148 11. No revenue received from a tax for the purpose of
149 funding zoological activities in any county shall be used
150 for the benefit of any entity that has ever been named
151 Grant's Farm or is located at ten thousand five hundred one
152 Gravois Road, Saint Louis, Missouri, or successor address,
153 or to supplant any funding received from the metropolitan
154 zoological park and museum district established under
155 section 184.350.

67.5420. 1. Notwithstanding any provision of law to
2 the contrary, all revenues generated by any tax imposed by a
3 county or by a city not within a county and approved by the
4 voters for the purposes of establishing an early childhood
5 education fund to improve the quality, affordability, and
6 access to early childhood development programs for children
7 aged five years and younger may be deposited in the county
8 treasury or, in a city not within a county, to a board of
9 directors established pursuant to section 210.861, to the
10 credit of a special "Early Childhood Education Fund" to
11 accomplish the purposes set out herein and shall be used for
12 no other purpose.

13 2. (1) The administrative control and management of
14 the funds in the early childhood education fund and all
15 programs to be funded therefrom shall rest solely with the
16 board of directors established pursuant to section 210.861.
17 The board shall not be mandated to expend funds by an act of
18 state legislation without a majority vote of the voters of
19 the county or city not within a county. The board of
20 directors shall use or disburse the funds in the early
21 childhood education fund to provide and administer programs

22 improving the quality, affordability, and access to early
23 childhood development programs for children aged five years
24 and younger, prioritizing children in financial need. The
25 funds may be used for early education and care provided by
26 public, private, not-for-profit, and for-profit entities
27 licensed, license-exempt, or registered by the Missouri
28 department of elementary and secondary education, including
29 preschools, childcare centers, nursery schools, local
30 education agencies, head start and early head start
31 programs, informal childcare providers and independent and
32 system-affiliated family child care homes, and
33 transportation related to same.

34 (2) The board of directors may contract with any
35 person or entity to provide programs or services relating to
36 the programs described in subdivision (1) of this
37 subsection, and may place conditions on the use of such
38 funds. The board shall reserve the right to audit the
39 expenditure of any and all funds. The board may establish
40 eligibility standards for the receipt and use of such
41 funds. No member of the board shall serve on the governing
42 body, have any financial interest in, or be employed by any
43 entity which is a recipient of funds from the early
44 childhood education fund.

45 (3) The board of directors may accept any gift of
46 property or money for the use and benefit of the persons to
47 be served through the programs established and funded under
48 this section and may sell or exchange any such property so
49 long as such sale or exchange is in the best interests of
50 the programs provided under this section and the proceeds
51 from such sale or exchange are used exclusively to fund such
52 programs. The board of directors may solicit, accept, and
53 expend grants from private or public entities and enter into

54 agreements to effectuate such grants so long as the
55 transaction is in the best interest of the programs provided
56 by the board and the proceeds are used exclusively to fund
57 such programs.

58 (4) The provisions of subsections 3 to 6 of section
59 210.861 shall not apply to revenues deposited into the early
60 childhood education fund and administered pursuant to this
61 subsection.

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