

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Bill No. 1814, Page 2, Section 92.098, Line 7, by inserting after all of said section  
2 and line the following:

3  
4 "92.099. 1. As used in this section, the term "authorized depository" means an entity which  
5 is a wholly owned instrumentality of member municipalities, such as the Missouri Municipal  
6 League.

7 2. Notwithstanding any other provision of the law, a payment in lieu of any business license  
8 tax described under sections 92.096 to 92.102 may, at the option of the telecommunications  
9 company remitting the business license tax, be remitted directly to the requisite municipality, or to  
10 the authorized depository. Such payment in lieu of a tax shall consist of ten percent of gross  
11 receipts derived from the business of providing prepaid wireless telecommunications service as  
12 determined under section 92.102 during each calendar year commencing with the effective date of  
13 this act. A sworn statement showing such gross receipts shall be filed within thirty days after the  
14 close of the preceding calendar year, and such payment in lieu of a tax shall be remitted at the time  
15 of filing. If a telecommunications company elects to remit such payment in lieu of a tax directly  
16 to less than all requisite municipalities, it shall list in such sworn statement the municipalities it  
17 remitted such payment in lieu of a tax to directly.

18 3. All such payments in lieu of a tax collected by the authorized depository, less one percent  
19 for the cost of collection, shall be deposited in a special trust fund in a banking institution acting as  
20 a legal depository of public funds under the statutes of Missouri and shall be secured by the deposit  
21 of securities of the character prescribed by section 30.270, RSMo, for the security of funds  
22 deposited by the state treasurer. The moneys in the special trust fund shall not be deemed funds of  
23 the authorized depository and shall not be commingled with any funds of the authorized depository.  
24 The authorized depository shall not be responsible for any loss of the funds through the negligence  
25 or failure of any banking institution acting as a legal depository of public funds.

26 4. The authorized depository shall keep accurate records of the amount of money in the  
27 special trust fund, and the records shall be open to the inspection of officers of municipalities and  
28 the public. Not later than the tenth day of each month the authorized depository shall distribute all  
29 moneys deposited in the special trust fund during the preceding month, to the municipal treasurer, or  
30 such other officer as may be designated by municipal ordinance, of each municipality imposing such  
31 business license tax, the sum due the municipality. All interest, if any, on the moneys deposited in  
32 the special trust fund shall go to the authorized depository for the cost of collection.

33 5. The authorized depository may make refunds from the amounts in the special trust fund  
34 and credited to any municipality for erroneous payments and overpayments made, and may redeem  
35 dishonored checks and drafts deposited to the credit of such municipalities. If any municipality  
36 abolishes such business license tax, the municipality shall notify the authorized depository of the

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 action as soon as practicable but not more than thirty days after the effective date of the repeal.

2 6. The executive director of the authorized depository and any assistants and employees who  
3 have any duties or responsibilities in connection with the collection, deposit, transfer, transmittal,  
4 disbursement, safekeeping, accounting, or recording of funds which come into their hands under the  
5 provisions of this act shall enter into a surety bond or bonds with a surety company in the  
6 aggregate amount of not less than five hundred thousand dollars payable to any and all taxing  
7 municipalities in whose behalf the funds have been collected, conditioned on the faithful  
8 performance of its duties under this section and the satisfactory accounting of all moneys received  
9 by them. The authorized depository may enter into a blanket bond in such amount covering the  
10 executive director and all such assistants and employees. The cost of any premium for such bonds  
11 shall be paid by the authorized depository from the share of the collections under this act retained by  
12 the authorized depository for its collection cost.

13 7. If the authorized depository is unable or unwilling to perform its duties or responsibilities  
14 under this section, it shall notify the director of revenue at least ninety days prior to ceasing to serve  
15 as the authorized depository and the director of revenue shall collect and distribute in the same  
16 manner such payment in lieu of any business license tax that is not remitted directly to the requisite  
17 municipality. "; and

18  
19 Further amend said bill by amending the title, enacting clause, and intersectional references  
20 accordingly.