

SECOND REGULAR SESSION

HOUSE BILL NO. 1221

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHIELDS.

Pre-filed December 12, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3285L.011

AN ACT

To amend chapter 164, RSMo, by adding thereto four new sections relating to school district funding.

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

Section A. Chapter 164, RSMo, is amended by adding thereto four new sections, to be known as sections 164.001, 164.002, 164.003 and 164.004, to read as follows:

164.001. 1. The school board of each school district in this state is hereby authorized to levy and collect, by ordinance, a supplemental income tax, at a rate not exceed one percent, on all of the Missouri taxable income earned by its residents for the purpose of reducing reliance on property taxes to sustain the school or schools of the school district. Such tax shall not become effective unless the school board of a district submits to the voters of the school district at a county or state general, primary, or special election, a proposal to authorize the tax.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall(name of the school district) levy a supplemental income tax of (amount) percent on all of the Missouri taxable income of its residents for the purpose of reducing reliance on property taxes to sustain the school or schools of the school district?

☐ YES ☐ NO

If the majority of the votes cast on the proposal by the qualified voters of the school district voting thereon are in favor of the proposal, then the tax shall become effective January

19 first of the calendar year which immediately follows. If a majority of the votes cast by the
20 qualified voters of the school district voting are opposed to the proposal, the school board
21 shall have no power to impose the tax until the school board submits another proposal to
22 authorize the tax and such proposal is approved by a majority of the qualified voters of the
23 school district voting thereon.

164.002. 1. All statutes and regulations governing the administration, imposition,
2 computation, and collection of Missouri state income tax pursuant to chapter 143, RSMo,
3 shall apply to the tax authorized by this section.

4 2. Tax liability pursuant to this section shall be reported on a taxpayer's Missouri
5 state income tax return. The department of revenue shall adjust tax return forms and
6 instruction booklets as necessary to administer the supplemental income tax.

7 3. Sections 143.191 to 143.265, RSMo, shall govern the responsibilities of employers
8 to deduct and withhold the supplemental income tax from wages for each payroll period.
9 Each employer shall, in addition to the amount prescribed by the department of revenue
10 pursuant to section 143.191, RSMo, to be withheld, withhold from wages each payroll
11 period an amount equal to the rate of any supplemental income tax imposed by the school
12 district in which each employee resides.

13 4. The department of revenue is authorized to promulgate any rules necessary to
14 administer any supplemental tax credit imposed pursuant to section 164.001. No rule or
15 portion of a rule promulgated pursuant to the authority of this section shall become
16 effective unless it has been promulgated pursuant to chapter 536, RSMo.

164.003. The department of revenue shall determine the amount of revenue
2 generated in each school district as a result of the imposition of a supplemental income tax
3 pursuant to section 164.001, and shall distribute such revenue to each school district
4 accordingly.

164.004. The department of elementary and secondary education shall calculate an
2 equivalent property tax for each school district imposing a supplemental income tax
3 pursuant to section 164.001 based upon the supplemental income tax revenues distributed
4 to the district pursuant to section 164.003. The equivalent property tax rate shall be
5 included as an addition to the district's operating levy for school purposes, as defined
6 pursuant to section 163.011, RSMo, for the purpose of distribution of state school aid
7 pursuant to section 163.031, RSMo, and shall be considered as an addition to the district's
8 operating levy for school purposes for the purpose of determining eligibility for state aid
9 increases pursuant to section 163.021, RSMo.