

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 138
93RD GENERAL ASSEMBLY

Reported from the Committee on Local Government, April 19, 2005 with recommendation that House Committee Substitute for Senate Committee Substitute for Senate Bill No. 138 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

0208L.03C

AN ACT

To repeal section 92.402, RSMo, and to enact in lieu thereof one new section relating to taxation for public mass transportation systems.

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

Section A. Section 92.402, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 92.402, to read as follows:

92.402. 1. Any city may, by a majority vote of its council or governing body, impose a sales tax for the benefit of the public mass transportation system operating within such city as provided in sections 92.400 to 92.421.

2. The sales tax may be imposed at a rate not to exceed one-half of one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any city adopting such tax, if such property and services are subject to taxation by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, RSMo. Seven and one-half percent of the sales tax shall be distributed to the interstate transportation authority pursuant to the provisions of section 92.421. [The remainder of the tax in excess of such seven and one-half percent shall expire] On December 31, 2005, [on which date] the authority shall be in full compliance with handicapped accessibility pursuant to the terms of the Americans with Disabilities Act.

3. Within ten days after the adoption of any ordinance imposing such a sales tax, the city

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 clerk shall forward to the director of revenue by United States registered mail or certified mail
15 a certified copy of the ordinance of the council or governing body. The ordinance shall reflect
16 the effective date thereof and shall be accompanied by a map of the city clearly showing the
17 boundaries thereof.

18 4. If the boundaries of a city in which such sales tax has been imposed shall thereafter
19 be changed or altered, the city clerk shall forward to the director of revenue by United States
20 registered mail or certified mail a certified copy of the ordinance adding or detaching territory
21 from the city. The ordinance shall reflect the effective date thereof, and shall be accompanied
22 by a map of the city clearly showing the territory added thereto or detached therefrom. Upon
23 receipt of the ordinance and map, the tax imposed by sections 92.400 to 92.421 shall be effective
24 in the added territory or abolished in the detached territory on the effective date of the change
25 of the city boundary.