

FIRST REGULAR SESSION

# HOUSE BILL NO. 1181

## 95TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DETHROW.

2487L.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 206, RSMo, by adding thereto one new section relating to hospital district sales taxes.

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

Section A. Chapter 206, RSMo, is amended by adding thereto one new section, to be known as section 206.165, to read as follows:

**206.165. 1. The governing body of any hospital district established under this chapter in any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants may, by resolution, abolish the property tax levied in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**

**2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then**

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.

18 the tax shall not become effective unless and until the question is resubmitted under this  
19 section to the qualified voters and such question is approved by a majority of the qualified  
20 voters voting on the question.

21 3. All revenue collected under this section by the director of the department of  
22 revenue on behalf of the hospital district, except for one percent for the cost of collection  
23 which shall be deposited in the state's general revenue fund, shall be deposited in a special  
24 trust fund, which is hereby created and shall be known as the "Hospital District Sales Tax  
25 Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not  
26 be deemed to be state funds, and shall not be commingled with any funds of the state. The  
27 director may make refunds from the amounts in the fund and credited to the district for  
28 erroneous payments and overpayments made, and may redeem dishonored checks and  
29 drafts deposited to the credit of such district. Any funds in the special fund which are not  
30 needed for current expenditures shall be invested in the same manner as other funds are  
31 invested. Any interest and moneys earned on such investments shall be credited to the  
32 fund.

33 4. The governing body of any hospital district that has adopted the sales tax  
34 authorized in this section may submit the question of repeal of the tax to the voters on any  
35 date available for elections for the district. If a majority of the votes cast on the question  
36 by the qualified voters voting thereon are in favor of the repeal, that repeal shall become  
37 effective on December thirty-first of the calendar year in which such repeal was approved.  
38 If a majority of the votes cast on the question by the qualified voters voting thereon are  
39 opposed to the repeal, then the sales tax authorized in this section shall remain effective  
40 until the question is resubmitted under this section to the qualified voters and the repeal  
41 is approved by a majority of the qualified voters voting on the question.

42 5. Whenever the governing body of any hospital district that has adopted the sales  
43 tax authorized in this section receives a petition, signed by a number of registered voters  
44 of the district equal to at least ten percent of the number of registered voters of the district  
45 voting in the last gubernatorial election, calling for an election to repeal the sales tax  
46 imposed under this section, the governing body shall submit to the voters of the district a  
47 proposal to repeal the tax. If a majority of the votes cast on the question by the qualified  
48 voters voting thereon are in favor of the repeal, the repeal shall become effective on  
49 December thirty-first of the calendar year in which such repeal was approved. If a  
50 majority of the votes cast on the question by the qualified voters voting thereon are  
51 opposed to the repeal, then the sales tax authorized in this section shall remain effective  
52 until the question is resubmitted under this section to the qualified voters and the repeal  
53 is approved by a majority of the qualified voters voting on the question.

54           **6. If the tax is repealed or terminated by any means, all funds remaining in the**  
55 **special trust fund shall continue to be used solely for the designated purposes, and the**  
56 **hospital district shall notify the director of the department of revenue of the action at least**  
57 **ninety days before the effective date of the repeal and the director may order retention in**  
58 **the trust fund, for a period of one year, of two percent of the amount collected after receipt**  
59 **of such notice to cover possible refunds or overpayment of the tax and to redeem**  
60 **dishonored checks and drafts deposited to the credit of such accounts. After one year has**  
61 **elapsed after the effective date of abolition of the tax in such district, the director shall**  
62 **remit the balance in the account to the district and close the account of that district. The**  
63 **director shall notify each district of each instance of any amount refunded or any check**  
64 **redeemed from receipts due the district.**

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