

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute No. 2 for House Bill No. 1358, Page 9, Section 71.009,
2 Line 8, by inserting after all of said section, the following:

3 “94.837. 1. (1) The governing body of the following cities may impose a tax as provided
4 in this section:

5 _____ (a) Any city of the fourth classification with more than two thousand five hundred but
6 fewer than two thousand six hundred inhabitants and located in any county of the third
7 classification without a township form of government and with more than ten thousand four
8 hundred but fewer than ten thousand five hundred inhabitants[, the governing body of];

9 _____ (b) Any special charter city[, and the governing body of];

10 _____ (c) Any city of the fourth classification with more than one thousand two hundred but
11 fewer than one thousand three hundred inhabitants and located in any county of the third
12 classification without a township form of government and with more than four thousand three
13 hundred but fewer than four thousand four hundred inhabitants.

14 _____ (2) The governing body of any city listed in subdivision (1) of this subsection may impose
15 a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated
16 in the city or a portion thereof, which shall not be more than five percent per occupied room per
17 night, except that such tax shall not become effective unless the governing body of the city
18 submits to the voters of the city at a state general or primary election a proposal to authorize the
19 governing body of the city to impose a tax under this section. The tax authorized in this section
20 shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and
21 except as provided in subsection 4 of this section, the proceeds of such tax shall be used by the
22 city solely for the promotion of tourism. Such tax shall be stated separately from all other charges
23 and taxes.

24 2. The ballot of submission for the tax authorized in this section shall be in substantially
25 the following form:

26 Shall (insert the name of the city) impose a tax on the charges for all
27 sleeping rooms paid by the transient guests of hotels and motels situated in (name
28 of city) at a rate of (insert rate of percent) percent for the sole purpose of promoting

1 tourism?

2 YES

NO

3

4 If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of
5 the question, then the tax shall become effective on the first day of the second calendar quarter
6 following the calendar quarter in which the election was held. If a majority of the votes cast on
7 the question by the qualified voters voting thereon are opposed to the question, then the tax
8 authorized by this section shall not become effective unless and until the question is resubmitted
9 under this section to the qualified voters of the city and such question is approved by a majority of
10 the qualified voters of the city voting on the question.

11 3. As used in this section, "transient guests" means a person or persons who occupy a
12 room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

13 4. In any special charter city with more than twenty-nine thousand but fewer than
14 thirty-two thousand inhabitants, any tax imposed under this section shall be used by the city solely
15 for the promotion of tourism and cultural activities, the development, construction, and operation
16 of convention facilities, the promotion of business development, and the construction of related
17 infrastructure and improvements. The ballot of submission for the tax authorized in this
18 subsection shall be in substantially the following form:

19 "Shall (insert the name of the city) impose a tax on the charges for all sleeping rooms
20 paid by the transient guests of hotels and motels and bed and breakfast inns situated in (insert
21 name of city) at a rate of up to five percent for the sole purpose of the promotion of tourism and
22 cultural activities, development, construction, and operation of convention facilities, the
23 promotion of business development, and the construction of related infrastructure and
24 improvements?".

25

26 If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of
27 the question, then the tax shall become effective on the first day of the second calendar quarter
28 following the calendar quarter in which the election was held. If a majority of the votes cast on
29 the question by the qualified voters voting thereon are opposed to the question, then the tax shall
30 not become effective unless and until the question is resubmitted under this section to the
31 qualified voters of the political subdivision and such question is approved by a majority of the
32 qualified voters voting on the question."; and

33

34 Further amend said bill by amending the title, enacting clause, and intersectional references
35 accordingly.