

HB 1637 -- Missouri Sound Money Act of 2012

Sponsor: Curtman

This bill establishes the Missouri Sound Money Act of 2012 which changes the laws regarding legal tender. In its main provisions, the bill:

(1) Specifies that gold and silver issued by the federal government is legal tender in Missouri; however, no person can compel any other person to tender or accept gold and silver coins, except for contractual obligations;

(2) Exempts the exchange of gold and silver coins issued by the federal government for another form of legal tender from state and local sales and use taxes and state individual and corporate income taxes, excluding withholding tax imposed by Sections 143.191 to 143.265, RSMo;

(3) Prohibits these provisions from being used to impair contractual obligations and, except in the case of governmentally assessed taxes, fees, duties, imposts, dues, penalties, or sanctions, the government may not compel payment in any particular form of legal tender inconsistent with the express written or verbal agreement of transacting parties, thereby frustrating the parties' manifest intent and impairing their contractual obligations;

(4) Prohibits the composition of a person's monetary holdings, including those on deposit with any nonbank depository, from being disclosed, searched, or seized except upon strict adherence to due process safeguards;

(5) Specifies that when the federal government requires surrender of gold or silver, the nonbank depository must return the gold and silver deposits to their owners who will then surrender the gold and silver to the federal government. The depository is not permitted to act without written authority from the owners of the gold and silver; and

(6) Requires the method of determining the value of gold and silver to be based on the London PM fix for that day's transaction.