

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 226, Page 3, Section 190.144, Line 10, by
2 inserting the following after all of said line:

3
4 "190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency
5 telephone services, the county commission of any county may impose a county sales tax for the
6 provision of central dispatching of fire protection, including law enforcement agencies, emergency
7 ambulance service or any other emergency services, including emergency telephone services, which
8 shall be collectively referred to herein as "emergency services", and which may also include the
9 purchase and maintenance of communications and emergency equipment, including the operational
10 costs associated therein, in accordance with the provisions of this section.

11 2. Such county commission may, by a majority vote of its members, submit to the voters of
12 the county, at a public election, a proposal to authorize the county commission to impose a tax under
13 the provisions of this section. If the residents of the county present a petition signed by a number of
14 residents equal to ten percent of those in the county who voted in the most recent gubernatorial
15 election, then the commission shall submit such a proposal to the voters of the county.

16 3. The ballot of submission shall be in substantially the following form:

17 Shall the county of (insert name of county) impose a county sales tax of
18 (insert rate of percent) percent for the purpose of providing central dispatching of fire protection,
19 emergency ambulance service, including emergency telephone services, and other emergency
20 services?

21 YES NO

22
23 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of
24 the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast
25 by the qualified voters voting are opposed to the proposal, then the county commission shall have
26 no power to impose the tax authorized by this section unless and until the county commission shall
27 again have submitted another proposal to authorize the county commission to impose the tax under
28 the provisions of this section, and such proposal is approved by a majority of the qualified voters
29 voting thereon.

30 4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the

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1 sale at retail of all tangible personal property or taxable services at retail within any county adopting
2 such tax, if such property and services are subject to taxation by the state of Missouri under the
3 provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six
4 months before operation of the central dispatching of emergency services.

5 5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
6 apply to the tax imposed under this section.

7 6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in
8 which the tax imposed pursuant to this section for emergency services is certified by the board to be
9 fully operational. Any revenues collected from the tax authorized under section 190.305 shall be
10 credited for the purposes for which they were intended.

11 7. At least once each calendar year, the board shall establish a tax rate, not to exceed the
12 amount authorized, that together with any surplus revenues carried forward will produce sufficient
13 revenues to fund the expenditures authorized by this act. Amounts collected in excess of that
14 necessary within a given year shall be carried forward to subsequent years. The board shall make its
15 determination of such tax rate each year no later than September first and shall fix the new rate
16 which shall be collected as provided in this act. Immediately upon making its determination and
17 fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer
18 by mail of the new rate.

19 8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal
20 to establish a county sales tax pursuant to the provisions of this section, the county commission shall
21 appoint the initial members of a board to administer the funds and oversee the provision of
22 emergency services in the county. Beginning with the general election in 1994, all board members
23 shall be elected according to this section and other applicable laws of this state. At the time of the
24 appointment of the initial members of the board, the commission shall relinquish and no longer
25 exercise the duties prescribed in this chapter with regard to the provision of emergency services and
26 such duties shall be exercised by the board.

27 9. The initial board shall consist of seven members appointed without regard to political
28 affiliation, who shall be selected from, and who shall represent, the fire protection districts,
29 ambulance districts, sheriff's department, municipalities, any other emergency services and the
30 general public. This initial board shall serve until its successor board is duly elected and installed in
31 office. The commission shall ensure geographic representation of the county by appointing no more
32 than four members from each district of the county commission.

33 10. Beginning in 1994, three members shall be elected from each district of the county
34 commission and one member shall be elected at large, such member to be the chairman of the board.
35 Of those first elected, four members from districts of the county commission shall be elected for
36 terms of two years and two members from districts of the county commission and the member at
37 large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be
38 four years. Notwithstanding any other provision of law, if there is no candidate for an open position
39 on the board, then no election shall be held for that position and it shall be considered vacant, to be
40 filled pursuant to the provisions of section 190.339, and, if there is only one candidate for each open
41 position, no election shall be held and the candidate or candidates shall assume office at the same

1 time and in the same manner as if elected.

2 11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in
3 any county of the first classification with more than two hundred forty thousand three hundred but
4 fewer than two hundred forty thousand four hundred inhabitants or in any county of the third
5 classification with a township form of government and with more than twenty-eight thousand but
6 fewer than thirty-one thousand inhabitants, any emergency telephone service 911 board appointed
7 by the county under section 190.309 which is in existence on the date the voters approve a sales tax
8 under this section shall continue to exist and shall have the powers set forth under section 190.339.
9 Such boards which existed prior to August 25, 2010, shall not be considered a body corporate and a
10 political subdivision of the state for any purpose, unless and until an order is entered upon an
11 unanimous vote of the commissioners of the county in which such board is established reclassifying
12 such board as a corporate body and political subdivision of the state. The order shall approve the
13 transfer of the assets and liabilities related to the operation of the emergency telephone service 911
14 system to the new entity created by the reclassification of the board.

15 12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary,
16 in any county of the second classification with more than fifty-four thousand two hundred but fewer
17 than fifty-four thousand three hundred inhabitants or any county of the first classification with more
18 than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under
19 this section, the county commission shall appoint the members of the board to administer the funds
20 and oversee the provision of emergency services in the county.

21 (2) The board shall consist of seven members appointed without regard to political
22 affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of
23 the following:

- 24 (a) The head of any of the county's fire protection districts, or a designee;
25 (b) The head of any of the county's ambulance districts, or a designee;
26 (c) The county sheriff, or a designee;
27 (d) The head of any of the police departments in the county, or a designee; and
28 (e) The head of any of the county's emergency management organizations, or a designee.

29 (3) Upon the appointment of the board under this subsection, the board shall have the power
30 provided in section 190.339 and shall exercise all powers and duties exercised by the county
31 commission under this chapter, and the commission shall relinquish all powers and duties relating to
32 the provision of emergency services under this chapter to the board.

33 (4) In any county of the first classification with more than fifty thousand but fewer than
34 seventy thousand inhabitants and with a county seat with more than two thousand one hundred but
35 fewer than two thousand four hundred inhabitants, the board shall include one member from each of
36 the five entities listed in subdivision (2) of this subsection [shall be represented on the board by at
37 least one member] and two "public members" who shall be residents of the county and not affiliated
38 with any of the entities listed under subdivision (2) of this subsection."; and

39
40 Further amend said bill by amending the title, enacting clause, and intersectional references
41 accordingly.