

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 594, Page 1,
2 Section A, Line 2, by inserting after all of said line the following:

3
4 "37.1090. As used in sections 37.1090 to 37.1098, the following terms mean:

5 (1) "Expenditure", any monetary payment from a municipality or county to any vendor
6 including, but not limited to, a payment, distribution, loan, advance, reimbursement, deposit, or gift;

7 (2) "Municipality", a city, town, or village that is incorporated in accordance with the laws
8 of this state;

9 (3) "State entity", the general assembly; the supreme court of Missouri; the office of an
10 elected state official; or an agency, board, commission, department, instrumentality,
11 office, or other governmental entity of this state, excluding municipalities, counties, institutions of
12 higher education, and any public employee retirement system;

13 (4) "Vendor", any person, partnership, corporation, association, organization, state entity, or
14 other party that:

15 (a) Sells, leases, or otherwise provides equipment, materials, goods, supplies, or services to
16 a municipality or county; or

17 (b) Receives reimbursement from a municipality or county for any expense.

18 37.1091. The "Missouri Local Government Expenditure Database" is hereby created and
19 shall be maintained on the Missouri accountability portal, established under section 37.850, by the
20 office of administration. The database shall be available on the office of administration website and
21 shall include information about expenditures made during each fiscal year that begins after
22 December 31, 2022. The database shall be publicly accessible without charge.

23 37.1092. For each expenditure, the Missouri local government expenditure database shall
24 include the following information:

25 (1) The amount of the expenditure;

26 (2) The date the expenditure was paid;

27 (3) The vendor to whom the expenditure was paid, unless the disclosure of the vendor's
28 name would violate a confidentiality requirement, in which case the vendor may be listed as
29 confidential;

30 (4) The purpose of the expenditure; and

31 (5) The municipality or county that made the expenditure or requested the expenditure be
32 made.

33 37.1093. The Missouri local government expenditure database shall provide:

34 (1) A database of all expenditures; and

35 (2) The ability to download information.

36 37.1094. 1. A municipality or county may choose to voluntarily participate in the Missouri

Action Taken _____ Date _____

1 local government expenditure database, or, if a requisite number of residents of a municipality or
2 county request the municipality or county to participate, such jurisdiction shall participate in the
3 Missouri local government expenditure database. The requisite number of residents requesting
4 participation shall be five percent of the registered voters of such jurisdiction voting in the last
5 general municipal election, as described under section 115.121. Residents may request participation
6 by submitting a written letter by certified mail to the governing body of the municipality or county
7 and the office of administration. Multiple residents may sign one letter, but the number of requests
8 from residents shall include all requests from all letters received. Upon receiving such a letter, a
9 municipality or county shall acknowledge receipt thereof to the resident and the office of
10 administration within thirty days. After receiving the requisite number of requests, a municipality
11 or county shall begin participating in the database but shall not be required to report expenditures
12 incurred before one complete six-month reporting period described under subsection 2 of this
13 section has elapsed.

14 2. Each municipality or county participating in the database shall provide electronically
15 transmitted information to the office of administration, in a format the office requires, for inclusion
16 in the Missouri local government expenditure database regarding each of the municipality's or
17 county's expenditures biannually. Information regarding the first half of the calendar year shall be
18 submitted before July thirty-first of such year. Information regarding the second half of the calendar
19 year shall be submitted before January thirty-first of the year immediately following such year.

20 3. Notwithstanding subsection 1 of this section, no submission shall be required for any
21 expenditures incurred before January 1, 2023.

22 4. The office of administration shall provide each municipality and county participating in
23 the database with a template in the format described under section 37.1092 for the purpose of
24 uploading the data. The office of administration shall have the authority to grant the municipality or
25 county access for the purpose of uploading data.

26 5. Upon appropriation, the office of administration shall provide financial reimbursement to
27 any participating municipality or county for actual expenditures incurred for participating in the
28 database.

29 37.1095. No later than one year after the Missouri local government expenditure database is
30 implemented, the office of administration shall provide, on the office of administration website, an
31 opportunity for public comment on the utility of the database.

32 37.1096. The Missouri local government expenditure database shall not include any
33 confidential information or any information that is not a public record under the laws of this state.
34 However, the state shall not be liable for the disclosure of a record in the Missouri local government
35 expenditure database that is confidential information or is not a public record under the laws of this
36 state.

37 37.1097. Each municipality or county that has a website shall display on its website a
38 prominent internet link to the Missouri local government expenditure database.

39 37.1098. The office of administration may adopt rules to implement the provisions of
40 sections 37.1090 to 37.1098. Any rule or portion of a rule, as that term is defined in section
41 536.010, that is created under the authority delegated in this section shall become effective only if it
42 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
43 536.028. This section and chapter 536 are nonseverable, and if any of the powers vested with the
44 general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
45 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any
46 rule proposed or adopted after August 28, 2020, shall be invalid and void.

47 ~~[49.266. 1. The county commission in all noncharter counties may by order or ordinance~~
48 ~~promulgate reasonable regulations concerning the use of county property, the hours, conditions,~~
49 ~~methods and manner of such use and the regulation of pedestrian and vehicular traffic and parking~~

1 thereon.

2 ~~2. Violation of any regulation so adopted under subsection 1 of this section is an~~
 3 ~~infraction.~~

4 ~~3. Upon a determination by the state fire marshal that a burn ban order is appropriate~~
 5 ~~for a county because:~~

6 ~~(1) An actual or impending occurrence of a natural disaster of major proportions~~
 7 ~~within the county jeopardizes the safety and welfare of the inhabitants of such~~
 8 ~~county; and~~

9 ~~(2) The U.S. Drought Monitor has designated the county as an area of severe,~~
 10 ~~extreme, or exceptional drought, the county commission may adopt an order or~~
 11 ~~ordinance issuing a burn ban, which may carry a penalty of up to a class A~~
 12 ~~misdemeanor. State agencies responsible for fire management or suppression~~
 13 ~~activities and persons conducting agricultural burning using best management~~
 14 ~~practices shall not be subject to the provisions of this subsection. The ability of an~~
 15 ~~individual, organization, or corporation to sell fireworks shall not be affected by the~~
 16 ~~issuance of a burn ban. The county burn ban may prohibit the explosion or ignition~~
 17 ~~of any missile or skyrocket as the terms "missile" and "skyrocket" are defined by the~~
 18 ~~2012 edition of the American Fireworks Standards Laboratory, but shall not ban the~~
 19 ~~explosion or ignition of any other consumer fireworks as the term "consumer~~
 20 ~~fireworks" is defined under section 320.106.~~

21 ~~4. The regulations so adopted shall be codified, printed and made available for~~
 22 ~~public use and adequate signs concerning smoking, traffic and parking regulations~~
 23 ~~shall be posted.]~~

24
 25 49.266. 1. The county commission in all noncharter counties [~~of the first, second or fourth~~
 26 ~~classification]~~ may by order or ordinance promulgate reasonable regulations concerning the use of
 27 county property, the hours, conditions, methods and manner of such use and the regulation of
 28 pedestrian and vehicular traffic and parking thereon.

29 2. Violation of any regulation so adopted under subsection 1 of this section is an infraction.

30 3. Upon a determination by the state fire marshal that a burn ban order is appropriate for a
 31 county because:

32 (1) An actual or impending occurrence of a natural disaster of major proportions within the
 33 county jeopardizes the safety and welfare of the inhabitants of such county; and

34 (2) The U.S. Drought Monitor has designated the county as an area of severe, extreme, or
 35 exceptional drought, the county commission may adopt an order or ordinance issuing a burn ban,
 36 which may carry a penalty of up to a class A misdemeanor. State agencies responsible for fire
 37 management or suppression activities and persons conducting agricultural burning using best
 38 management practices shall not be subject to the provisions of this subsection. The ability of an
 39 individual, organization, or corporation to sell fireworks shall not be affected by the issuance of a
 40 burn ban. The county burn ban may prohibit the explosion or ignition of any missile or skyrocket as
 41 the terms "missile" and "skyrocket" are defined by the 2012 edition of the American Fireworks
 42 Standards Laboratory, but shall not ban the explosion or ignition of any other consumer fireworks as
 43 the term "consumer fireworks" is defined under section 320.106.

44 4. The regulations so adopted shall be codified, printed and made available for public use
 45 and adequate signs concerning smoking, traffic and parking regulations shall be posted.

46 59.021. A candidate for county recorder where the offices of the clerk of the court and
 47 recorder of deeds are separate, except in any city not within a county or any county having a charter
 48 form of government, shall be at least twenty-one years of age, a registered voter, and a resident of
 49 the state of Missouri as well as the county in which he or she is a candidate for at least one year

1 prior to the date of the general election. Upon election to office, the person shall continue to reside
 2 in that county during his or her tenure in office. Each candidate for county recorder shall provide to
 3 the election authority a copy of an affidavit from a surety company authorized to do business in this
 4 state that indicates the candidate is able to satisfy the bond requirements under section 59.100.

5 59.100. Every recorder elected as provided in section 59.020, before entering upon the
 6 duties of the office as recorder, shall enter into bond to the state, in a sum set by the county
 7 commission [~~of not less than one thousand dollars~~], with sufficient sureties, not less than two, to be
 8 approved by the commission, conditioned for the faithful performance of the duties enjoined on
 9 such person by law as recorder, and for the delivering up of the records, books, papers, writings,
 10 seals, furniture and apparatus belonging to the office, whole, safe and undefaced, to such officer's
 11 successor. For a recorder elected before January 1, 2021, the bond shall be no less than one
 12 thousand dollars. For a recorder elected after December 31, 2020, the bond shall be no less than
 13 five thousand dollars.

14 64.207. 1. The county commission of any county of the first classification with more than
 15 one hundred fifty thousand but fewer than two hundred thousand inhabitants may adopt rules,
 16 regulations, or ordinances to ensure the habitability of rented residences.

17 2. The rules, regulations, or ordinances shall require each rented residence provide:

18 (1) Structural protection from the elements;

19 (2) Access to water service, including hot water;

20 (3) Sewer service;

21 (4) Access to electrical service;

22 (5) Heat to the residence; and

23 (6) Basic security, which, at a minimum, shall include locking doors and windows.

24 If a utility service is unavailable because a tenant fails to pay for service, the unavailability shall not
 25 be a violation of the rules, regulations, or ordinances.

26 3. If a county elects to enact rules, regulations, or ordinances under this section, at a
 27 minimum, they shall contain the following provisions:

28 (1) (a) The county commission shall create a process for selecting a designated officer to
 29 respond to written complaints of the condition of a rented residence that threatens the health or
 30 safety of tenants;

31 (b) Any written complaint under this section shall be submitted by a tenant who is a lawful
 32 tenant that has signed a lease agreement with the property owner or his or her agent, and which
 33 tenant is current on all rent due;

34 (2) The owner of record of any rental residence against which a written complaint has been
 35 submitted shall be served with adequate notice. The notice shall specify the condition alleged in the
 36 complaint and state a reasonable date that abatement of the condition shall commence. Notice shall
 37 be served by personal service or certified mail, return receipt requested, or, if those methods are
 38 unsuccessful, by publication;

39 (3) The owner of record and any other person who has an interest in the rented residence
 40 shall be parties in a hearing under subdivision (4) of this subsection;

41 (4) If work to abate the condition does not commence by the date stated in the notice or if
 42 the work does not proceed continuously and without unnecessary delay, as determined by the
 43 designated officer, the complaint shall be given a hearing before the county commission. Parties
 44 shall be given at least ten days' notice of the hearing. Any party may be represented by counsel, and
 45 all parties shall have an opportunity to be heard. If the county commission finds that the rented
 46 residence has a dangerous condition that is detrimental to the health, safety, or welfare of the tenant,
 47 the county commission shall issue an order that the condition be abated. The order shall state
 48 specific facts, based on competent and substantiated evidence, that support its finding. If the county
 49 commission finds that the rented residence does not have a dangerous condition that is detrimental

1 to the health, safety, or welfare of the tenant, the county commission shall not issue an order; and

2 (5) Any violation of the order issued by the county commission may be punished by a
 3 penalty, which shall not exceed a class C misdemeanor. Each day a violation continues shall be
 4 deemed a separate violation. Any penalty enacted in the rules, regulations, or ordinances shall not
 5 be the exclusive punishment for the condition. The designated officer may, in his or her own name
 6 or in the name of the county, seek and obtain any judicial relief provided under equity or law
 7 including, but not limited to, civil fines authorized under section 49.272, declaratory relief, and
 8 injunctive relief. The designated officer may declare the continued occupancy of the rented
 9 residence unlawful while the condition or conditions remain unabated.

10 4. The county commission shall only have the authority to respond to written complaints
 11 submitted to the county commission and shall not have the authority to:

12 (1) Charge any fee for any action authorized under this section;

13 (2) Perform any inspection of rented residences unless in response to a written complaint; or

14 (3) Require licensing, registration, or certification of a rental unit on a regular schedule or
 15 before offering a residence for rent.

16 67.1011. 1. The governing body of any city of the third classification with more than four
 17 thousand but fewer than four thousand five hundred inhabitants and located in any county of the
 18 third classification with a township form of government and with more than sixteen thousand but
 19 fewer than eighteen thousand inhabitants may impose a tax as provided in this section.

20 2. The governing body of any city described under subsection 1 of this section may impose
 21 a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in
 22 the city, which shall be no more than six percent per occupied room per night. The tax shall not
 23 become effective unless the governing body of the city submits to the voters of the city at an
 24 election a question to authorize the governing body of the city to impose the tax. The tax shall be in
 25 addition to the charge for the sleeping room and shall be in addition to any and all other taxes. The
 26 tax shall be stated separately from all other charges and taxes.

27 3. The question for the tax shall be in substantially the following form:

28 Shall _____ (city name) impose a tax on the charges for all sleeping rooms
 29 paid by the transient guests of hotels and motels situated in _____ (city name)
 30 at a rate of _____ percent?

31 YES NO

32
 33 If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of
 34 the question, the tax shall become effective on the first day of the second calendar quarter following
 35 the calendar quarter in which the election was held. If a majority of the votes cast on the question
 36 by the qualified voters voting thereon are opposed to the question, the tax shall not become effective
 37 unless and until the question is resubmitted under this section to the qualified voters and such
 38 question is approved by a majority of the qualified voters voting thereon.

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

41 68.075. 1. This section shall be known and may be cited as the "Advanced Industrial
 42 Manufacturing Zones Act".

43 2. As used in this section, the following terms shall mean:

44 (1) "AIM zone", an area identified through a resolution passed by the port authority board of
 45 commissioners appointed under section 68.045 that is being developed or redeveloped for any
 46 purpose so long as any infrastructure and building built or improved is in the development area. The
 47 port authority board of commissioners shall file an annual report indicating the established AIM
 48 zones with the department of revenue;

49 (2) "County average wage", the average wage in each county as determined by the Missouri

1 department of economic development for the most recently completed full calendar year. However,
2 if the computed county average wage is above the statewide average wage, the statewide average
3 wage shall be deemed the county average wage for such county for the purpose of determining
4 eligibility;

5 (3) "New job", the number of full-time employees located at the project facility that exceeds
6 the project facility base employment less any decrease in the number of full-time employees at
7 related facilities below the related facility base employment. No job that was created prior to the
8 date of the notice of intent shall be deemed a new job. An employee that spends less than fifty
9 percent of the employee's work time at the facility is still considered to be located at a facility if the
10 employee receives his or her directions and control from that facility, is on the facility's payroll, one
11 hundred percent of the employee's income from such employment is Missouri income, and the
12 employee is paid at or above the county average wage;

13 (4) "Related facility", a facility operated by a company or a related company prior to the
14 establishment of the AIM zone in question located within any port district, as defined under section
15 68.015, which is directly related to the operations of the facility within the new AIM zone.

16 3. Any port authority located in this state may establish an AIM zone. Such zone may only
17 include the area within the port authority's jurisdiction, ownership, or control, and may include any
18 such area. The port authority shall determine the boundaries for each AIM zone, and more than one
19 AIM zone may exist within the port authority's jurisdiction or under the port authority's ownership
20 or control, and may be expanded or contracted by resolution of the port authority board of
21 commissioners.

22 4. Fifty percent of the state tax withholdings imposed by sections 143.191 to 143.265 on
23 new jobs within such zone after development or redevelopment has commenced shall not be
24 remitted to the general revenue fund of the state of Missouri. Such moneys shall be deposited into
25 the port authority AIM zone fund established under subsection 5 of this section for the purpose of
26 continuing to expand, develop, and redevelop AIM zones identified by the port authority board of
27 commissioners and may be used for managerial, engineering, legal, research, promotion, planning,
28 satisfaction of bonds issued under section 68.040, and any other expenses.

29 5. There is hereby created in the state treasury the "Port Authority AIM Zone Fund", which
30 shall consist of money collected under this section. The state treasurer shall be custodian of the
31 fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180
32 to the port authorities from which the funds were collected, less the pro-rata portion appropriated by
33 the general assembly to be used solely for the administration of this section which shall not exceed
34 ten percent of the total amount collected within the zones of a port authority. Notwithstanding the
35 provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the
36 biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest
37 moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned
38 on such investments shall be credited to the fund.

39 6. The port authority shall approve any projects that begin construction and disperse any
40 money collected under this section. The port authority shall submit an annual budget for the funds
41 to the department of economic development explaining how and when such money will be spent.

42 7. The provision of section 23.253 notwithstanding, no AIM zone may be established after
43 August 28, ~~2023~~ 2030. Any AIM zone created prior to that date shall continue to exist and be
44 coterminous with the retirement of all debts incurred under subsection 4 of this section. No debts
45 may be incurred or reauthorized using AIM zone revenue after August 28, ~~2023~~ 2030.

46 94.842. 1. The governing body of any home rule city with more than one hundred fifty-five
47 thousand but fewer than two hundred thousand inhabitants may impose a tax on the charges for all
48 sleeping rooms paid by the transient guests of hotels or motels situated in the city, which shall not be
49 more than seven and one-half percent per occupied room per night. Such tax shall not become

1 effective unless the governing body of the city submits a proposal to the voters of the city at a state
 2 general, primary, or special election that authorizes the governing body of the city to impose a tax
 3 under the provisions of this section and the voters approve such proposal. The tax authorized under
 4 this section shall be in addition to the charge for a sleeping room and shall be in addition to any and
 5 all taxes imposed by law. The proceeds of such tax shall be used solely for capital investments that
 6 can be demonstrated to increase the number of overnight visitors. Such tax shall be stated
 7 separately from all other charges and taxes.

8 2. The proposal shall be submitted in substantially the following form:

9 Shall the City of _____ levy a tax of _____ percent on each sleeping room occupied
 10 and rented by transient guests of hotels and motels located in the city, whose revenue
 11 shall be dedicated to capital investments to increase tourism?

12 YES

13 NO

14 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of
 15 the proposal, the tax shall become effective on the first day of the calendar quarter following the
 16 calendar quarter in which the election is held. If a majority of the votes cast on the proposal by the
 17 qualified voters voting thereon are opposed to the proposal, the governing body for the city shall
 18 have no power to impose the tax authorized by this section unless and until the governing body of
 19 the city again submits the proposal to the qualified voters of the city and such proposal is approved
 20 by a majority of the qualified voters voting thereon.

21 3. After the approval of a proposal but before the effective date of a tax authorized under
 22 this section, the city shall adopt one of the following provisions for the collection and administration
 23 of the tax:

24 (1) The city may adopt rules and regulations for the internal collection of such tax by the
 25 city officers usually responsible for collection and administration of city taxes; or

26 (2) The city may enter into an agreement with the director of revenue for the purpose of
 27 collecting the tax authorized under this section. If a city enters into an agreement with the director
 28 of revenue for the collection of the tax authorized in this section, the director shall perform all
 29 functions incident to the administration, collection, enforcement, and operation of such tax, and the
 30 director of revenue shall collect the additional tax authorized under this section. The tax authorized
 31 under this section shall be collected and reported upon such forms and under such administrative
 32 rules and regulations as may be prescribed by the director of revenue, and the director of revenue
 33 may retain up to one percent for cost of collection.

34 4. As used in this section, "transient guests" means a person or persons who occupy a room
 35 or rooms in a hotel, motel, or tourist court for thirty-one days or less during any calendar quarter.

36 94.1014. 1. (1) The governing body of any city of the fourth classification with more than
 37 three thousand seven hundred but fewer than four thousand inhabitants and located in any county of
 38 the first classification with more than one hundred fifty thousand but fewer than two hundred
 39 thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient
 40 guests of hotels or motels situated in the city or a portion thereof. The tax shall not be more than
 41 five percent per occupied room per night.

42 (2) The tax shall not become effective unless the governing body of the city, on a general
 43 election day not earlier than the 2022 general election, submits to the voters of the city a proposal to
 44 authorize the city to impose a tax under this section, and the voters approve the tax.

45 (3) The tax shall be in addition to the charge for the sleeping room and all other taxes
 46 imposed by law. The tax shall be stated separately from all other charges and taxes.

47 (4) The proceeds of the tax shall be used by the city for the promotion of tourism; growth of
 48 the region; economic development purposes; and public safety purposes including, but not limited
 49 to, equipment expenditures, employee salaries and benefits, and facilities for police, firefighters, or

1 emergency medical providers.

2 2. The ballot for authorization of the tax shall be in substantially the following form:

3 Shall _____ (name of the city) impose a tax on the charges for all sleeping rooms
 4 paid by the transient guests of hotels and motels situated in _____ (name of the city)
 5 at a rate of _____ percent for the promotion of tourism, growth of the region,
 6 economic development, and public safety?

7 _____ YES NO

8 If a majority of the votes cast on the proposal by qualified voters approve the proposal, the tax shall
 9 become effective on the first day of the second calendar quarter following the election. If a majority
 10 of the votes cast on the proposal by qualified voters opposed the proposal, the tax shall not become
 11 effective unless and until the proposal is again submitted to the voters of the city and is approved by
 12 a majority of the qualified voters voting thereon.

13 3. The governing body of any city authorized to levy a sales tax pursuant to this section
 14 shall include information on the city's website on the tax rate and the purposes for which the tax is
 15 levied.

16 4. As used in this section, "transient guest" means any person who occupies a room or
 17 rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

18 105.145. 1. The following definitions shall be applied to the terms used in this section:

19 (1) "Governing body", the board, body, or persons in which the powers of a political
 20 subdivision as a body corporate, or otherwise, are vested;

21 (2) "Political subdivision", any agency or unit of this state, except counties and school
 22 districts, which now is, or hereafter shall be, authorized to levy taxes or empowered to cause taxes to
 23 be levied.

24 2. The governing body of each political subdivision in the state shall cause to be prepared an
 25 annual report of the financial transactions of the political subdivision in such summary form as the
 26 state auditor shall prescribe by rule, except that the annual report of political subdivisions whose
 27 cash receipts for the reporting period are ten thousand dollars or less shall only be required to
 28 contain the cash balance at the beginning of the reporting period, a summary of cash receipts, a
 29 summary of cash disbursements and the cash balance at the end of the reporting period.

30 3. Within such time following the end of the fiscal year as the state auditor shall prescribe
 31 by rule, the governing body of each political subdivision shall cause a copy of the annual financial
 32 report to be remitted to the state auditor.

33 4. The state auditor shall immediately on receipt of each financial report acknowledge the
 34 receipt of the report.

35 5. In any fiscal year no member of the governing body of any political subdivision of the
 36 state shall receive any compensation or payment of expenses after the end of the time within which
 37 the financial statement of the political subdivision is required to be filed with the state auditor and
 38 until such time as the notice from the state auditor of the filing of the annual financial report for the
 39 fiscal year has been received.

40 6. The state auditor shall prepare sample forms for financial reports and shall mail the same
 41 to the political subdivisions of the state. Failure of the auditor to supply such forms shall not in any
 42 way excuse any person from the performance of any duty imposed by this section.

43 7. All reports or financial statements herein above mentioned shall be considered to be
 44 public records.

45 8. The provisions of this section apply to the board of directors of every transportation
 46 development district organized under sections 238.200 to 238.275.

47 9. Any political subdivision that fails to timely submit a copy of the annual financial
 48 statement to the state auditor shall be subject to a fine of five hundred dollars per day.

49 10. The state auditor shall report any violation of subsection 9 of this section to the

1 department of revenue. Upon notification from the state auditor's office that a political subdivision
 2 failed to timely submit a copy of the annual financial statement, the department of revenue shall
 3 notify such political subdivision by certified mail that the statement has not been received. Such
 4 notice shall clearly set forth the following:

5 (1) The name of the political subdivision;

6 (2) That the political subdivision shall be subject to a fine of five hundred dollars per day if
 7 the political subdivision does not submit a copy of the annual financial statement to the state
 8 auditor's office within thirty days from the postmarked date stamped on the certified mail envelope;

9 (3) That the fine will be enforced and collected as provided under subsection 11 of this
 10 section; and

11 (4) That the fine will begin accruing on the thirty-first day from the postmarked date
 12 stamped on the certified mail envelope and will continue to accrue until the state auditor's office
 13 receives a copy of the financial statement.

14
 15 In the event a copy of the annual financial statement is received within such thirty-day period, no
 16 fine shall accrue or be imposed. The state auditor shall report receipt of the financial statement to
 17 the department of revenue within ten business days. Failure of the political subdivision to submit
 18 the required annual financial statement within such thirty-day period shall cause the fine to be
 19 collected as provided under subsection 11 of this section.

20 11. The department of revenue may collect the fine authorized under the provisions of
 21 subsection 9 of this section by offsetting any sales or use tax distributions due to the political
 22 subdivision. The director of revenue shall retain two percent for the cost of such collection. The
 23 remaining revenues collected from such violations shall be distributed annually to the schools of the
 24 county in the same manner that proceeds for all penalties, forfeitures, and fines collected for any
 25 breach of the penal laws of the state are distributed.

26 12. Any ~~transportation development district organized under sections 238.200 to 238.275~~
 27 having political subdivision that has gross revenues of less than five thousand dollars or that has not
 28 levied or collected sales or use taxes in the fiscal year for which the annual financial statement was
 29 not timely filed shall not be subject to the fine authorized in this section.

30 13. If a failure to timely submit the annual financial statement is the result of fraud or other
 31 illegal conduct by an employee or officer of the political subdivision, the failure shall not be subject
 32 to a fine authorized under this section if the statement is filed within thirty days of the discovery of
 33 the fraud or illegal conduct. If a fine is assessed and paid prior to the filing of the statement, the
 34 department of revenue shall refund the fine upon notification from the political subdivision.

35 14. If a political subdivision has an outstanding balance for fines or penalties at the time it
 36 files its first annual financial statement after January 1, 2021, the director of revenue shall make a
 37 one-time downward adjustment to such outstanding balance in an amount that reduces the
 38 outstanding balance by ninety percent.

39 15. The director of revenue shall have the authority to make a one-time downward
 40 adjustment to any outstanding penalty imposed under this section on a political subdivision if the
 41 director determines the fine is uncollectable. The director of revenue may prescribe rules and
 42 regulations necessary to carry out the provisions of this subsection. Any rule or portion of a rule, as
 43 that term is defined in section 536.010, that is created under the authority delegated in this section
 44 shall become effective only if it complies with and is subject to all of the provisions of chapter 536
 45 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any of the
 46 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective
 47 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
 48 rulemaking authority and any rule proposed or adopted after August 28, 2020, shall be invalid and
 49 void.

- 1 16. If a political subdivision with an outstanding balance for fines or penalties:
 2 (1) Fails to file an annual financial statement after August 28, 2020, and before January 1,
 3 2021; or
 4 (2) Files an annual financial statement after August 28, 2020, and before January 1, 2021,
 5 but fails to file any annual financial statement thereafter,

6
 7 then the director of revenue shall initiate the process to disincorporate the political subdivision as
 8 prescribed by law.

9 17. If any resident of a political subdivision believes or knows that the political subdivision
 10 has failed to file the annual financial report required under subsection 2 of this section, the resident
 11 may file an affidavit with the director of revenue that attests to the alleged failure. The director of
 12 revenue shall evaluate the allegation and, if true, notify the political subdivision and any
 13 municipality or county encompassing the political subdivision by both certified mail and first-class
 14 mail that the political subdivision has ninety days to comply with subsection 2 of this section. If the
 15 political subdivision has not complied after ninety days, the director of revenue shall initiate the
 16 process to disincorporate the political subdivision as prescribed by law.

17 18. (1) The question of whether a political subdivision subject to possible disincorporation
 18 under subsection 16 or 17 of this section shall be disincorporated shall be submitted to the voters of
 19 the political subdivision. The election upon the question shall be held on the next general election
 20 day.

21 (2) No later than five o'clock p.m. on the tenth Tuesday prior to the election, the director of
 22 revenue shall notify the election authorities responsible for conducting the election according to the
 23 provisions of section 115.125 and the county governing body in which the political subdivision is
 24 located.

25 (3) The election authority shall give notice of the election for eight consecutive weeks prior
 26 to the election by publication in a newspaper of general circulation published in the political
 27 subdivision or, if there is no such newspaper in the political subdivision, in the newspaper in the
 28 county published nearest the political subdivision.

29 (4) Any costs of submitting the question shall be paid by the political subdivision.

30 (5) The question shall be submitted to the voters of such city, town, or village in
 31 substantially the following form:

32 The (political subdivision) of _____ (has an outstanding balance for
 33 fines or penalties and) has failed to file an annual financial statement, as
 34 required by law. Shall the (political subdivision) of _____ be
 35 disincorporated?

36 YES NO

37
 38 Upon the affirmative vote of a majority of the qualified voters voting on the question, the director of
 39 revenue shall file an action to disincorporate the political subdivision in the circuit court with
 40 jurisdiction over the political subdivision.

41 19. In an action to disincorporate a political subdivision, the circuit court shall order:

42 (1) The appointment of an administrative authority for the political subdivision, which may
 43 be another political subdivision, the state, a qualified private party, or other qualified entity;

44 (2) All financial and other institutions holding funds of the political subdivision, as
 45 identified by the director of revenue, to honor the directives of the administrative authority;

46 (3) The director of revenue or other party charged with distributing tax revenue to distribute
 47 the revenues and funds of the political subdivision to the administrative authority; and

48 (4) The disincorporation of the political subdivision and the effective date of the
 49 disincorporation, taking into consideration a reasonable transition period.

1
2 The administrative authority shall administer all revenues under the name of the political
3 subdivision or its agents and administer all funds collected on behalf of the political subdivision.
4 The administrative authority shall use the revenues and existing funds to pay all debts and
5 obligations of the political subdivision other than the penalties accrued under this section. The
6 circuit court shall have ongoing jurisdiction to enforce its orders and carry out the remedies under
7 this subsection.

8 20. The attorney general shall have the authority to file an action in a court of competent
9 jurisdiction against any political subdivision that fails to comply with this section in order to force
10 the political subdivision into compliance.

11 163.024. 1. All moneys received in the Iron County school fund, Reynolds County school
12 fund, Jefferson County school fund, and Washington County school fund from the payment of a
13 civil penalty pursuant to a consent decree filed in the United States district court for the eastern
14 district of Missouri in December, 2011, in the case of *United States of America and State of*
15 *Missouri v. the Doe Run Resources Corporation d/b/a "The Doe Run Company," and the Buick*
16 *Resource Recycling Facility, LLC*, because of environmental violations shall not be included in any
17 district's local effort figure, as such term is defined in section 163.011. The provisions of this
18 ~~[section]~~ subsection shall terminate on July 1, 2016.

19 2. (1) No moneys received in the Iron County school fund from the payment of any penalty,
20 whether to resolve violations or as payment of any stipulated penalty, under Administrative Order
21 on Consent No. APCP-2019-001 ("Order") issued by the department of natural resources, shall be
22 included in such school district's local effort calculation, as such term is defined in section 163.011.

23 (2) The department of natural resources shall notify the revisor of statutes when the Order is
24 terminated as provided in the Order, and this subsection shall expire on the last day of the fiscal year
25 in which the revisor receives such notification from the department.

26 205.202.1. The governing body of any hospital district established under sections 205.160 to
27 205.379 in any county of the third classification without a township form of government and with
28 more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants
29 may, by resolution, abolish the property tax levied in such district under this chapter and impose a
30 sales tax on all retail sales made within the district which are subject to sales tax under chapter
31 144. The tax authorized in this section shall be not more than one percent, and shall be imposed
32 solely for the purpose of funding the hospital district. The tax authorized in this section shall be in
33 addition to all other sales taxes imposed by law, and shall be stated separately from all other charges
34 and taxes.

35 2. No such resolution adopted under this section shall become effective unless the governing
36 body of the hospital district submits to the voters residing within the district at a state general,
37 primary, or special election a proposal to authorize the governing body of the district to impose a tax
38 under this section. If a majority of the votes cast on the question by the qualified voters voting
39 thereon are in favor of the question, then the tax shall become effective on the first day of the second
40 calendar quarter after the director of revenue receives notification of adoption of the local sales
41 tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed
42 to the question, then the tax shall not become effective unless and until the question is resubmitted
43 under this section to the qualified voters and such question is approved by a majority of the qualified
44 voters voting on the question.

45 3. All revenue collected under this section by the director of the department of revenue on
46 behalf of the hospital district, except for one percent for the cost of collection which shall be
47 deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is
48 hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used
49 solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and

1 shall not be commingled with any funds of the state. The director may make refunds from the
 2 amounts in the fund and credited to the district for erroneous payments and overpayments made, and
 3 may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in the
 4 special fund which are not needed for current expenditures shall be invested in the same manner as
 5 other funds are invested. Any interest and moneys earned on such investments shall be credited to
 6 the fund.

7 4. The governing body of any hospital district that has adopted the sales tax authorized in this
 8 section may submit the question of repeal of the tax to the voters on any date available for elections
 9 for the district. If a majority of the votes cast on the question by the qualified voters voting thereon
 10 are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar
 11 year in which such repeal was approved. If a majority of the votes cast on the question by the
 12 qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section
 13 shall remain effective until the question is resubmitted under this section to the qualified voters and
 14 the repeal is approved by a majority of the qualified voters voting on the question.

15 5. Whenever the governing body of any hospital district that has adopted the sales tax
 16 authorized in this section receives a petition, signed by a number of registered voters of the district
 17 equal to at least ten percent of the number of registered voters of the district voting in the last
 18 gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the
 19 governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of
 20 the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the
 21 repeal shall become effective on December thirty-first of the calendar year in which such repeal was
 22 approved. If a majority of the votes cast on the question by the qualified voters voting thereon are
 23 opposed to the repeal, then the sales tax authorized in this section shall remain effective until the
 24 question is resubmitted under this section to the qualified voters and the repeal is approved by a
 25 majority of the qualified voters voting on the question.

26 6. If the tax is repealed or terminated by any means other than by a dissolution of a hospital
 27 district as described in subsection 7 of this section, all funds remaining in the special trust fund shall
 28 continue to be used solely for the designated purposes, and the hospital district shall notify the
 29 director of the department of revenue of the action at least ninety days before the effective date of
 30 the repeal and the director may order retention in the trust fund, for a period of one year, of two
 31 percent of the amount collected after receipt of such notice to cover possible refunds or
 32 overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such
 33 accounts. After one year has elapsed after the effective date of abolition of the tax in such district,
 34 the director shall remit the balance in the account to the district and close the account of that
 35 district. The director shall notify each district of each instance of any amount refunded or any check
 36 redeemed from receipts due the district.

37 7. Upon the dissolution of a hospital district levying a sales tax pursuant to this section, the
 38 sales tax shall be automatically repealed and all funds remaining in the special trust fund shall be
 39 distributed as follows:

40 (1) Twenty-five percent shall be distributed to the county public health center established
 41 pursuant to sections 205.010 to 205.150; and

42 (2) Seventy-five percent shall be distributed to a federally qualified health center, as defined
 43 in 42 U.S.C. Section 1396d(1)(1) and (2), located in the county.

44 610.021. Except to the extent disclosure is otherwise required by law, a public governmental
 45 body is authorized to close meetings, records and votes, to the extent they relate to the following:

46 (1) Legal actions, causes of action or litigation involving a public governmental body and
 47 any confidential or privileged communications between a public governmental body or its
 48 representatives and its attorneys. However, any minutes, vote or settlement agreement relating to
 49 legal actions, causes of action or litigation involving a public governmental body or any agent or

1 entity representing its interests or acting on its behalf or with its authority, including any insurance
2 company acting on behalf of a public government body as its insured, shall be made public upon
3 final disposition of the matter voted upon or upon the signing by the parties of the settlement
4 agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court
5 after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly
6 outweighs the public policy considerations of section 610.011, however, the amount of any moneys
7 paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in
8 matters involving the exercise of the power of eminent domain, the vote shall be announced or
9 become public immediately following the action on the motion to authorize institution of such a
10 legal action. Legal work product shall be considered a closed record;

11 (2) Leasing, purchase or sale of real estate by a public governmental body where public
12 knowledge of the transaction might adversely affect the legal consideration therefor. However, any
13 minutes, vote or public record approving a contract relating to the leasing, purchase or sale of real
14 estate by a public governmental body shall be made public upon execution of the lease, purchase or
15 sale of the real estate;

16 (3) Hiring, firing, disciplining or promoting of particular employees by a public
17 governmental body when personal information about the employee is discussed or recorded.
18 However, any vote on a final decision, when taken by a public governmental body, to hire, fire,
19 promote or discipline an employee of a public governmental body shall be made available with a
20 record of how each member voted to the public within seventy-two hours of the close of the meeting
21 where such action occurs; provided, however, that any employee so affected shall be entitled to
22 prompt notice of such decision during the seventy-two-hour period before such decision is made
23 available to the public. As used in this subdivision, the term "personal information" means
24 information relating to the performance or merit of individual employees;

25 (4) The state militia or national guard or any part thereof;

26 (5) Nonjudicial mental or physical health proceedings involving identifiable persons,
27 including medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or
28 treatment;

29 (6) Scholastic probation, expulsion, or graduation of identifiable individuals, including
30 records of individual test or examination scores; however, personally identifiable student records
31 maintained by public educational institutions shall be open for inspection by the parents, guardian or
32 other custodian of students under the age of eighteen years and by the parents, guardian or other
33 custodian and the student if the student is over the age of eighteen years;

34 (7) Testing and examination materials, before the test or examination is given or, if it is to
35 be given again, before so given again;

36 (8) Welfare cases of identifiable individuals;

37 (9) Preparation, including any discussions or work product, on behalf of a public
38 governmental body or its representatives for negotiations with employee groups;

39 (10) Software codes for electronic data processing and documentation thereof;

40 (11) Specifications for competitive bidding, until either the specifications are officially
41 approved by the public governmental body or the specifications are published for bid;

42 (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and
43 related documents or any documents related to a negotiated contract until a contract is executed, or
44 all proposals are rejected;

45 (13) Individually identifiable personnel records, performance ratings or records pertaining to
46 employees or applicants for employment, except that this exemption shall not apply to the names,
47 positions, salaries and lengths of service of officers and employees of public agencies once they are
48 employed as such, and the names of private sources donating or contributing money to the salary of
49 a chancellor or president at all public colleges and universities in the state of Missouri and the

1 amount of money contributed by the source;

2 (14) Records which are protected from disclosure by law;

3 (15) Meetings and public records relating to scientific and technological innovations in
4 which the owner has a proprietary interest;

5 (16) Records relating to municipal hotlines established for the reporting of abuse and
6 wrongdoing;

7 (17) Confidential or privileged communications between a public governmental body and
8 its auditor, including all auditor work product; however, all final audit reports issued by the auditor
9 are to be considered open records pursuant to this chapter;

10 (18) Operational guidelines, policies and specific response plans developed, adopted, or
11 maintained by any public agency responsible for law enforcement, public safety, first response, or
12 public health for use in responding to or preventing any critical incident which is or appears to be
13 terrorist in nature and which has the potential to endanger individual or public safety or health.

14 Financial records related to the procurement of or expenditures relating to operational guidelines,
15 policies or plans purchased with public funds shall be open. When seeking to close information
16 pursuant to this exception, the public governmental body shall affirmatively state in writing that
17 disclosure would impair the public governmental body's ability to protect the security or safety of
18 persons or real property, and shall in the same writing state that the public interest in nondisclosure
19 outweighs the public interest in disclosure of the records;

20 (19) Existing or proposed security systems and structural plans of real property owned or
21 leased by a public governmental body, and information that is voluntarily submitted by a nonpublic
22 entity owning or operating an infrastructure to any public governmental body for use by that body to
23 devise plans for protection of that infrastructure, the public disclosure of which would threaten
24 public safety:

25 (a) Records related to the procurement of or expenditures relating to security systems
26 purchased with public funds shall be open;

27 (b) When seeking to close information pursuant to this exception, the public governmental
28 body shall affirmatively state in writing that disclosure would impair the public governmental body's
29 ability to protect the security or safety of persons or real property, and shall in the same writing state
30 that the public interest in nondisclosure outweighs the public interest in disclosure of the records;

31 (c) Records that are voluntarily submitted by a nonpublic entity shall be reviewed by the
32 receiving agency within ninety days of submission to determine if retention of the document is
33 necessary in furtherance of a state security interest. If retention is not necessary, the documents
34 shall be returned to the nonpublic governmental body or destroyed;

35 (20) The portion of a record that identifies security systems or access codes or authorization
36 codes for security systems of real property;

37 (21) Records that identify the configuration of components or the operation of a computer,
38 computer system, computer network, or telecommunications network, and would allow
39 unauthorized access to or unlawful disruption of a computer, computer system, computer network,
40 or telecommunications network of a public governmental body. This exception shall not be used to
41 limit or deny access to otherwise public records in a file, document, data file or database containing
42 public records. Records related to the procurement of or expenditures relating to such computer,
43 computer system, computer network, or telecommunications network, including the amount of
44 moneys paid by, or on behalf of, a public governmental body for such computer, computer system,
45 computer network, or telecommunications network shall be open;

46 (22) Credit card numbers, personal identification numbers, digital certificates, physical and
47 virtual keys, access codes or authorization codes that are used to protect the security of electronic
48 transactions between a public governmental body and a person or entity doing business with a
49 public governmental body. Nothing in this section shall be deemed to close the record of a person

1 or entity using a credit card held in the name of a public governmental body or any record of a
2 transaction made by a person using a credit card or other method of payment for which
3 reimbursement is made by a public governmental body;

4 (23) Records submitted by an individual, corporation, or other business entity to a public
5 institution of higher education in connection with a proposal to license intellectual property or
6 perform sponsored research and which contains sales projections or other business plan information
7 the disclosure of which may endanger the competitiveness of a business; ~~and~~

8 (24) Records relating to foster home or kinship placements of children in foster care under
9 section 210.498; and

10 (25) Individually identifiable customer usage and billing records for customers of a
11 municipally owned utility, unless the records are requested by the customer or authorized for release
12 by the customer."; and

13
14 Further amend said bill by amending the title, enacting clause, and intersectional references
15 accordingly.