

SECOND REGULAR SESSION

HOUSE BILL NO. 1564

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KINGERY (Sponsor), GRISAMORE,
LAIR AND KIRKTON (Co-sponsors).

4003L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 181.060, RSMo, and to enact in lieu thereof two new sections relating to public library district sales taxes.

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

Section A. Section 181.060, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 181.060 and 182.802, to read as follows:

181.060. 1. The general assembly may appropriate moneys for state aid to public libraries, which moneys shall be administered by the state librarian, and distributed as specified in rules and regulations promulgated by the Missouri state library, and approved by the secretary of state.

2. At least fifty percent of the moneys appropriated for state aid to public libraries shall be apportioned to all public libraries established and maintained under the provisions of the library laws or other laws of the state relating to libraries. The allocation of the moneys shall be based on an equal per capita rate for the population of each city, village, town, township, urban public library district, county or consolidated library district in which any library is or may be established, in proportion to the population according to the latest federal census of the cities, villages, towns, townships, school districts, county or regional library districts maintaining public libraries primarily supported by public funds which are designed to serve the general public. No grant shall be made to any public library which is tax supported if the rate of tax levied or the appropriation for the library should be decreased below the rate in force on December 31, 1946, or on the date of its establishment. Grants shall be made to any public library if a public library tax of at least ten cents per one hundred dollars assessed valuation has been voted in accordance

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.

17 with sections 182.010 to 182.460, RSMo, or as authorized in section 137.030, RSMo, and is duly
18 assessed and levied for the year preceding that in which the grant is made, or if the appropriation
19 for the public library in any city of first class yields one dollar or more per capita for the previous
20 year according to the population of the latest federal census or if the amount provided by the city
21 for the public library, in any other city in which the library is not supported by a library tax, is
22 at least equal to the amount of revenue which would be realized by a tax of ten cents per one
23 hundred dollars assessed valuation if the library had been tax supported. Except that, no grant
24 under this section shall be affected because of a reduction in the rate of levy which is required
25 by the provisions of section 137.073, [RSMo] **or because of a voluntary reduction in the levy**
26 **following the enactment of a district sales tax under section 182.802, if the proceeds from**
27 **the sales tax equal or exceed the reduction in revenue from the levy.**

28 3. The librarian of the library together with the treasurer of the library or the treasurer
29 of the city if there is no library treasurer shall certify to the state librarian the annual tax income
30 and rate of tax or the appropriation for the library on the date of the enactment of this law, and
31 of the current year, and each year thereafter, and the state librarian shall certify to the
32 commissioner of administration the amount to be paid to each library.

33 4. The balance of the moneys shall be administered and supervised by the state librarian
34 who may provide grants to public libraries for:

35 (1) Establishment, on a population basis to newly established city, county city/county
36 or consolidated libraries;

37 (2) Equalization to city/county. urban public, county or consolidated libraries;

38 (3) Reciprocal borrowing;

39 (4) Technological development;

40 (5) Interlibrary cooperation;

41 (6) Literacy programs; and

42 (7) Other library projects or programs that may be determined by the local library, library
43 advisory committee and the state library staff that would improve access to library services by
44 the residents of this state. Newly established libraries shall certify through the legally established
45 board or the governing body of the city supporting the library and the librarian of the library to
46 the state librarian the fact of establishment, the rate of tax, the assessed valuation of the library
47 district and the annual tax yield of the library. The state librarian shall then certify to the
48 commissioner of administration the amount of establishment grant to be paid to the libraries and
49 warrants shall be issued for the amount allocated and approved. The sum appropriated for state
50 aid to public libraries shall be separate and apart from any and all appropriations made to the
51 state library.

182.802. 1. A public library district may, by a majority vote of its board of directors, impose a tax not to exceed one-half of one cent on all retail sales subject to taxation under sections 144.010 to 144.525, for the purpose of funding the operation and maintenance of public libraries within the boundaries of such library district. The tax authorized by this subsection shall be in addition to all other taxes allowed by law. No tax under this subsection shall become effective unless the board of directors submits to the voters of the district, at a county or state general, primary, or special election, a proposal to authorize the tax, and such tax shall become effective only after the majority of the voters voting on such tax approve such tax.

2. In the event the district seeks to impose a sales tax under this subsection, the question shall be submitted in substantially the following form:

"Shall a cent sales tax be levied on all retail sales within the district for the purpose of providing funding for library district?"

YES NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the tax shall become effective. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the board of directors shall have no power to impose the tax unless and until another proposal to authorize the tax is submitted to the voters of the district and such proposal is approved by a majority of the qualified voters voting thereon. The provisions of sections 32.085 and 32.087, shall apply to any tax approved under this subsection.

3. As used in this section, "qualified voters" or "voters" means any individuals residing within the district who are eligible to be registered voters and who have registered to vote under chapter 115, or, if no individuals are eligible and registered to vote reside within the proposed district, all of the owners of real property located within the proposed district who have unanimously petitioned for or consented to the adoption of an ordinance by the governing body imposing a tax authorized in this section. If the owner of the property within the proposed district is a political subdivision or corporation of the state, the governing body of such political subdivision or corporation shall be considered the owner for purposes of this section.

4. For purposes of this section the term "public library district" shall mean any city library district, county library district, city-county library district, municipal library district, consolidated library district, or urban library district.

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