

FIRST REGULAR SESSION

# HOUSE BILL NO. 545

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SCHIEBER.

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D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 67.1956, RSMo, and to enact in lieu thereof one new section relating to tourism community enhancement districts.

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

Section A. Section 67.1956, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.1956, to read as follows:

67.1956. 1. In each tourism community enhancement district established pursuant to section 67.1953, there shall be a board of directors, to consist of seven members. Three members shall be selected by the governing body of the city, town or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. Two members shall be selected by the governing body of the city, town or village, located within the district, that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district, if such a city, town or village exists in the district. If no such city, town or village exists in the district then two additional members shall be selected by the governing body of the city, town, or village located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member shall be selected by the governing body of the county located within the district that collected the largest amount of retail sales tax within the district in the year preceding the establishment of the district. One member shall be selected by the governing body of the county located within the district that collected the second largest amount of retail sales tax within the district in the year preceding the establishment of the district.

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           2. Of the members first selected, the three members [from] **selected by** the city, town  
18 or village located within the district that collected the largest amount of retail sales tax within  
19 the district in the year preceding the establishment of the district shall be selected for a term of  
20 three years, the two members [from] **selected by** the city, town, or village located within the  
21 district that collected the second largest amount of retail sales tax within the district in the year  
22 preceding the establishment of the district shall be selected for a term of two years, and the  
23 remaining members shall be selected for a term of one year. Thereafter, each member selected  
24 shall serve a three-year term. [Every member shall be either a resident of the district, own real  
25 property within the district, be employed by a business within the district, or operate a business  
26 within the district]. All members shall serve without compensation. The board shall elect its  
27 own treasurer, secretary and such other officers as it deems necessary and expedient, and it may  
28 make such rules, regulations, and bylaws to carry out its duties pursuant to sections 67.1950 to  
29 67.1977.

30           3. Any vacancy within the board shall be filled in the same manner as the person who  
31 vacated the position was selected within sixty days of the vacancy occurring, with the new person  
32 serving the remainder of the term of the person who vacated the position. In the event that a  
33 person is not so selected within sixty days of the vacancy occurring, the remaining members of  
34 the board shall select a person to serve the remainder of the term of the person who vacated the  
35 position.

36           4. If a tourism community enhancement district is already in existence on August 28,  
37 2005, the one additional board member shall be appointed by the governing body of the city,  
38 town, or village located within the district that collected the largest amount of retail sales tax  
39 within the district in the year preceding the establishment of the district for a one-year term and  
40 the other additional board member shall be appointed by the governing body of the county  
41 located within the district that collected the second largest amount of retail sales tax within the  
42 district in the year preceding the establishment of the district for a two-year term, thereafter all  
43 board members shall serve three-year terms. The existing board members shall serve out their  
44 terms with the provisions of this section controlling the appointment of successor board  
45 members, with first and second **existing** board [existing] positions to expire to be appointed by  
46 the governing body of the city, town, or village located within the district that collected the  
47 largest amount of retail sales tax within the district in the year preceding the establishment of the  
48 district, the third and fourth existing board positions to expire to be appointed by the governing  
49 body of the city, town, or village located within the district that collected the second largest  
50 amount of retail sales tax within the district in the year preceding the establishment of the district  
51 and the fifth existing board position to expire to be appointed by the governing body of the

52 county located within the district that collected the largest amount of retail sales tax within the  
53 district in the year preceding the establishment of the district.

54 5. The board, on behalf of the district, may:

55 (1) Cooperate with public agencies and with any industry or business in the  
56 implementation of any project;

57 (2) Enter into any agreement with any public agency, person, firm, or corporation to  
58 implement any of the provisions of sections 67.1950 to 67.1977;

59 (3) Contract and be contracted with, and sue and be sued; and

60 (4) Accept gifts, grants, loans, or contributions from the United States of America, the  
61 state, any political subdivision, foundation, other public or private agency, individual, partnership  
62 or corporation on behalf of the tourism enhancement district community.

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