

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 389

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOSKINS.

1033H.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 32, RSMo, by adding thereto one new section relating to tax collection.

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

Section A. Chapter 32, RSMo, is amended by adding thereto one new section, to be
2 known as section 32.420, to read as follows:

32.420. 1. For purposes of this section, the following terms shall mean:

2 (1) “Assessing entity”, the state or one or more political subdivisions of the state
3 that collects a tax, fee, charge, or assessment from a qualifying business;

4 (2) “Department”, the department of revenue;

5 (3) “Election”, the submission by a qualifying business of an authorization for the
6 department to pay one or more recurring taxes, fees, charges, or assessments assessed by
7 an assessing entity on a form supplied by the department;

8 (4) “Qualifying business”, a business which is required to pay a tax, fee, charge, or
9 assessment issued by an assessing entity:

10 (a) In a total amount greater than fifty thousand dollars per year; and

11 (b) Pays a tax, fee, charge, or assessment to twenty-five or more local taxing
12 jurisdictions.

13 2. Notwithstanding any provision of law to the contrary, the department of revenue
14 shall adopt rules implementing a system in which any recurring tax, fee, charge, or
15 assessment issued by an assessing entity against a qualifying business, which has made an
16 election for such tax, fee, charge, or assessment, shall be paid by such qualifying business

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 in one transaction per month to the department. The department shall pay the assessing
18 entity the amount remitted by the qualifying business as soon as practical, but no later than
19 fifteen days after the receipt of funds from the qualifying business.

20 3. Notwithstanding any provision of law to the contrary, payment received by the
21 department on or before such amount is due to the assessing entity shall not incur any late
22 fees or penalties upon the department or the qualifying business if such funds are remitted
23 to the assessing entity after the date such amount is due to the assessing entity.

24 4. For the purpose of administrative expenses associated with this section, the
25 department may collect a fee from a qualifying business that makes an election under this
26 section in an amount which cannot exceed one percent of the money the qualifying business
27 remits to the department.

28 5. (1) The first year the provisions of this section are effective, the department shall
29 accept the first twenty-five qualifying businesses that apply;

30 (2) The second year the provisions of this section are effective, the department shall
31 accept the first one hundred qualifying businesses that apply; and

32 (3) The third year and every year thereafter the provisions of this section are
33 effective, the department shall accept all qualifying businesses that apply.

34 6. The provisions of this section shall become effective on January 1, 2018.

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