

SECOND REGULAR SESSION

HOUSE BILL NO. 1098

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SHUMAKE (Sponsor), KELLEY (126),
WRIGHT AND GATSCHENBERGER (Co-sponsor).

4305L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to the resale of donated goods for charitable purposes.

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

Section A. Section 407.489, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 407.489, to read as follows:

407.489. Notwithstanding any provision of section 89.020 to the contrary, the legislative body of all cities, towns, and villages is hereby prohibited from passing any zoning law, ordinance, or code that would prevent any entity organized pursuant to Section 501(c)(3) **or Section 501(c)(19)** of the Internal Revenue Code that owns or operates a retail business engaged in the practice of reselling donated goods from operating a business establishment within any area where any other business engaged in retail sales is permitted to operate; provided that [at least eighty percent of all revenue generated by such entity is used] **the net proceeds are applied on a reasonable basis** to fund the charitable purpose of the organization.

✓

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.