

SECOND REGULAR SESSION

HOUSE BILL NO. 1591

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FLANIGAN.

5146L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 182.802, RSMo, and to enact in lieu thereof one new section relating to sales taxes for public libraries.

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

Section A. Section 182.802, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 182.802, to read as follows:

182.802. 1. [A] **(1) Any public library district located in any of the following counties may impose a tax as provided in this section:**

(a) At least partially within any county of the third classification without a township form of government and with more than forty thousand eight hundred but fewer than forty thousand nine hundred inhabitants;

(b) Any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants;

(c) Any county of the third classification without a township form of government and with more than thirteen thousand two hundred but fewer than thirteen thousand three hundred inhabitants;

(d) Any county of the third classification with a township form of government and with more than twenty-nine thousand seven hundred but fewer than twenty-nine thousand eight hundred inhabitants;

(e) Any county of the second classification with more than nineteen thousand seven hundred but fewer than nineteen thousand eight hundred inhabitants; [or]

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 (f) Any county of the third classification with a township form of government and with
 18 more than thirty-three thousand one hundred but fewer than thirty-three thousand two hundred
 19 inhabitants;

20 (g) **Any county of the first classification with more than one hundred fifteen**
 21 **thousand but fewer than one hundred fifty thousand inhabitants.**

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

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

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

35 YES NO

36

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

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

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

✓