

SECOND REGULAR SESSION

HOUSE BILL NO. 2092

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KIRKTON.

6318L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 66.620, 67.547, 67.581, and 94.857, RSMo, and to enact in lieu thereof three new sections relating to sales tax distributions.

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

Section A. Sections 66.620, 67.547, 67.581, and 94.857, RSMo, are repealed and three
2 new sections enacted in lieu thereof, to be known as sections 66.620, 67.547, and 94.857, to read
3 as follows:

66.620. 1. All county sales taxes collected by the director of revenue under sections
2 66.600 to 66.630 on behalf of any county, less one percent for cost of collection which shall be
3 deposited in the state's general revenue fund after payment of premiums for surety bonds as
4 provided in section 32.087, shall be deposited in a special trust fund, which is hereby created,
5 to be known as the "County Sales Tax Trust Fund". The moneys in the county sales tax trust
6 fund shall not be deemed to be state funds and shall not be commingled with any funds of the
7 state. The director of revenue shall keep accurate records of the amount of money in the trust
8 fund which was collected in each county imposing a county sales tax, and the records shall be
9 open to the inspection of officers of the county and the public. Not later than the tenth day of
10 each month, the director of revenue shall distribute all moneys deposited in the trust fund during
11 the preceding month to the county which levied the tax; such funds shall be deposited with the
12 county treasurer of the county and all expenditures of funds arising from the county sales tax
13 trust fund shall be by an appropriation act to be enacted by the legislative council of the county,
14 and to the cities, towns and villages located wholly or partly within the county which levied the
15 tax in the manner as set forth in sections 66.600 to 66.630.

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.

16 2. [In any county not adopting an additional sales tax and alternate distribution system
17 as provided in section 67.581,] For the purposes of distributing the county sales tax, the county
18 shall be divided into two groups, "Group A" and "Group B". Group A shall consist of all cities,
19 towns and villages which are located wholly or partly within the county which levied the tax and
20 which had a city sales tax in effect under the provisions of sections 94.500 to 94.550 on the day
21 prior to the adoption of the county sales tax ordinance, except that beginning January 1, 1980,
22 group A shall consist of all cities, towns and villages which are located wholly or partly within
23 the county which levied the tax and which had a city sales tax approved by the voters of such city
24 under the provisions of sections 94.500 to 94.550 on the day prior to the effective date of the
25 county sales tax. For the purposes of determining the location of consummation of sales for
26 distribution of funds to cities, towns and villages in group A, the boundaries of any such city,
27 town or village shall be the boundary of that city, town or village as it existed on March 19,
28 1984. Group B shall consist of all cities, towns and villages which are located wholly or partly
29 within the county which levied the tax and which did not have a city sales tax [in effect under
30 the provisions of sections 94.500 to 94.550 on the day prior to the adoption of the county sales
31 tax ordinance, and shall also include all unincorporated areas of the county which levied the tax;
32 except that, beginning January 1, 1980, group B shall consist of all cities, towns and villages
33 which are located wholly or partly within the county which levied the tax and which did not have
34 a city sales tax] approved by the voters of such city under the provisions of sections 94.500 to
35 94.550 on the day prior to the effective date of the county sales tax and shall also include all
36 unincorporated areas of the county which levied the tax.

37 3. [Until January 1, 1994, the director of revenue shall distribute to the cities, towns and
38 villages in group A the taxes based on the location in which the sales were deemed consummated
39 under section 66.630 and subsection 12 of section 32.087. Except for distribution governed by
40 section 66.630, after deducting the distribution to the cities, towns and villages in group A, the
41 director of revenue shall distribute the remaining funds in the county sales tax trust fund to the
42 cities, towns and villages and the county in group B as follows: To the county which levied the
43 tax, a percentage of the distributable revenue equal to the percentage ratio that the population of
44 the unincorporated areas of the county bears to the total population of group B; and to each city,
45 town or village in group B located wholly within the taxing county, a percentage of the
46 distributable revenue equal to the percentage ratio that the population of such city, town or
47 village bears to the total population of group B; and to each city, town or village located partly
48 within the taxing county, a percentage of the distributable revenue equal to the percentage ratio
49 that the population of that part of the city, town or village located within the taxing county bears
50 to the total population of group B.

51 4. From and after] **Until** January 1, [1994] **2014**, the director of revenue shall distribute
52 to the cities, towns and villages in group A a portion of the taxes based on the location in which
53 the sales were deemed consummated under section 66.630 and subsection 12 of section 32.087
54 in accordance with the formula described in this subsection. After deducting the distribution to
55 the cities, towns and villages in group A, the director of revenue shall distribute funds in the
56 county sales tax trust fund to the cities, towns and villages and the county in group B as follows:
57 To the county which levied the tax, ten percent multiplied by the percentage of the population
58 of unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied
59 by the total of all sales tax revenues countywide, and a percentage of the remaining distributable
60 revenue equal to the percentage ratio that the population of unincorporated areas of the county
61 bears to the total population of group B; and to each city, town or village in group B located
62 wholly within the taxing county, a percentage of the remaining distributable revenue equal to the
63 percentage ratio that the population of such city, town or village bears to the total population of
64 group B; and to each city, town or village located partly within the taxing county, a percentage
65 of the remaining distributable revenue equal to the percentage ratio that the population of that
66 part of the city, town or village located within the taxing county bears to the total population of
67 group B.

68 **4. From and after January 1, 2014, the director of revenue shall distribute to the**
69 **cities, towns, and villages in group A a portion of the taxes based on the location in which**
70 **the sales were deemed consummated under section 66.630 and subsection 12 of section**
71 **32.087 in accordance with the formula described in this subsection. After deducting the**
72 **distribution to the cities, towns, and villages in group A, the director of revenue shall**
73 **distribute funds in the county sales tax trust fund to the cities, towns, and villages and the**
74 **county in group B as follows:**

75 **(1) To the county that levied the tax, a percentage of the remaining distributable**
76 **revenue equal to the percentage ratio that the population of unincorporated areas of the**
77 **county bears to the total population of group B;**

78 **(2) To each city, town, or village in group B located wholly within the taxing**
79 **county, a percentage of the remaining distributable revenue equal to the percentage ratio**
80 **that the population of such city, town, or village bears to the total population of group B;**
81 **and**

82 **(3) To each city, town, or village located partly within the taxing county, a**
83 **percentage of the remaining distributable revenue equal to the percentage ratio that the**
84 **population of that part of the city, town or village located within the taxing county bears**
85 **to the total population of group B.**

86 5. (1) For purposes of administering the distribution formula of subsection 4 of this
87 section, the revenues arising each year from sales occurring within each group A city, town or
88 village shall be distributed as follows: Until such revenues reach the adjusted county average,
89 as hereinafter defined, there shall be distributed to the city, town or village all of such revenues
90 [reduced by the percentage which is equal to ten percent multiplied by the percentage of the
91 population of unincorporated county which has been annexed or incorporated after April 1,
92 1993]; and once revenues exceed the adjusted county average, total revenues shall be shared in
93 accordance with the redistribution formula as defined in this subsection.

94 (2) For purposes of this subsection, the "adjusted county average" is the per capita
95 countywide average of all sales tax distributions during the prior calendar year [reduced by the
96 percentage which is equal to ten percent multiplied by the percentage of the population of
97 unincorporated county which has been annexed or incorporated after April 1, 1993;] , **and** the
98 "redistribution formula" is as follows: [During 1994, each group A city, town and village shall
99 receive that portion of the revenues arising from sales occurring within the municipality that
100 remains after deducting therefrom an amount equal to the cumulative sales tax revenues arising
101 from sales within the municipality multiplied by the percentage which is the sum of ten percent
102 multiplied by the percentage of the population of unincorporated county which has been annexed
103 or incorporated after April 1, 1993, and the percentage, if greater than zero, equal to the product
104 of 8.5 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of
105 cumulative per capita sales taxes arising from sales within the municipality less the adjusted
106 county average. During 1995, each group A city, town and village shall receive that portion of
107 the revenues arising from sales occurring within the municipality that remains after deducting
108 therefrom an amount equal to the cumulative sales tax revenues arising from sales within the
109 municipality multiplied by the percentage which is the sum of ten percent multiplied by the
110 percentage of the population of unincorporated county which has been annexed or incorporated
111 after April 1, 1993, and the percentage, if greater than zero, equal to the product of seventeen
112 multiplied by the logarithm (to base 10) of the product of 0.035 multiplied by the total of
113 cumulative per capita sales taxes arising from sales within the municipality less the adjusted
114 county average.] From January 1, 1996, until January 1, 2000, each group A city, town and
115 village shall receive that portion of the revenues arising from sales occurring within the
116 municipality that remains after deducting therefrom an amount equal to the cumulative sales tax
117 revenues arising from sales within the municipality [multiplied by the percentage which is the
118 sum of ten percent multiplied by the percentage of the population of unincorporated county
119 which has been annexed or incorporated after April 1, 1993,] and the percentage, if greater than
120 zero, equal to the product of 25.5 multiplied by the logarithm (to base 10) of the product of 0.035
121 multiplied by the total of cumulative per capita sales taxes arising from sales within the

122 municipality less the adjusted county average. From and after January 1, 2000, the distribution
123 formula covering the period from January 1, 1996, until January 1, 2000, shall continue to apply,
124 except that the percentage computed for sales arising within the municipalities shall be not less
125 than 7.5 percent for municipalities within which sales tax revenues exceed the adjusted county
126 average, nor less than 12.5 percent for municipalities within which sales tax revenues exceed the
127 adjusted county average by at least twenty-five percent.

128 (3) For purposes of applying the redistribution formula to a municipality which is partly
129 within the county levying the tax, the distribution shall be calculated alternately for the
130 municipality as a whole, [except that the factor for annexed portion of the county shall not be
131 applied to the portion of the municipality which is not within the county levying the tax,] and for
132 the portion of the municipality within the county levying the tax. Whichever calculation results
133 in the larger distribution to the municipality shall be used.

134 (4) Notwithstanding any other provision of this section, the fifty percent of additional
135 sales taxes as described in section 99.845 arising from economic activities within the area of a
136 redevelopment project established after July 12, 1990, pursuant to sections 99.800 to 99.865,
137 while tax increment financing remains in effect shall be deducted from all calculations of
138 countywide sales taxes, shall be distributed directly to the municipality involved, and shall be
139 disregarded in calculating the amounts distributed or distributable to the municipality. Further,
140 any agreement, contract or covenant entered into prior to July 12, 1990, between a municipality
141 and any other political subdivision which provides for an appropriation of incremental sales tax
142 revenues to the special allocation fund of a tax increment financing project while tax increment
143 financing remains in effect shall continue to be in full force and effect and the sales taxes so
144 appropriated shall be deducted from all calculations of countywide sales taxes, shall be
145 distributed directly to the municipality involved, and shall be disregarded in calculating the
146 amounts distributed or distributable to the municipality. In addition, and notwithstanding any
147 other provision of this chapter to the contrary, economic development funds shall be distributed
148 in full to the municipality in which the sales producing them were deemed consummated.
149 Additionally, economic development funds shall be deducted from all calculations of countywide
150 sales taxes and shall be disregarded in calculating the amounts distributed or distributable to the
151 municipality. As used in this subdivision, the term "economic development funds" means the
152 amount of sales tax revenue generated in any fiscal year by projects authorized pursuant to
153 chapter 99 or chapter 100 in connection with which such sales tax revenue was pledged as
154 security for, or was guaranteed by a developer to be sufficient to pay, outstanding obligations
155 under any agreement authorized by chapter 100, entered into or adopted prior to September 1,
156 1993, between a municipality and another public body. The cumulative amount of economic

157 development funds allowed under this provision shall not exceed the total amount necessary to
158 amortize the obligations involved.

159 6. If the qualified voters of any city, town or village vote to change or alter its boundaries
160 by annexing any unincorporated territory included in group B or if the qualified voters of one or
161 more city, town or village in group A and the qualified voters of one or more city, town or village
162 in group B vote to consolidate, the area annexed or the area consolidated which had been a part
163 of group B shall remain a part of group B after annexation or consolidation. After the effective
164 date of the annexation or consolidation, the annexing or consolidated city, town or village shall
165 receive a percentage of the group B distributable revenue equal to the percentage ratio that the
166 population of the annexed or consolidated area bears to the total population of group B and such
167 annexed area shall not be classified as unincorporated area for determination of the percentage
168 allocable to the county. If the qualified voters of any two or more cities, towns or villages in
169 group A each vote to consolidate such cities, towns or villages, then such consolidated cities,
170 towns or villages shall remain a part of group A. For the purpose of sections 66.600 to 66.630,
171 population shall be as determined by the last federal decennial census or the latest census that
172 determines the total population of the county and all political subdivisions therein. [For the
173 purpose of calculating the adjustment based on the percentage of unincorporated county
174 population which is annexed after April 1, 1993, the accumulated percentage immediately before
175 each census shall be used as the new percentage base after such census.] After any annexation,
176 incorporation or other municipal boundary change affecting the unincorporated area of the
177 county, the chief elected official of the county shall certify the new population of the
178 unincorporated area of the county and the percentage of the population which has been annexed
179 or incorporated since April 1, 1993, to the director of revenue. After the adoption of the county
180 sales tax ordinance, any city, town or village in group A may by adoption of an ordinance by its
181 governing body cease to be a part of group A and become a part of group B. Within ten days
182 after the adoption of the ordinance transferring the city, town or village from one group to the
183 other, the clerk of the transferring city, town or village shall forward to the director of revenue,
184 by registered mail, a certified copy of the ordinance. Distribution to such city as a part of its
185 former group shall cease and as a part of its new group shall begin on the first day of January of
186 the year following notification to the director of revenue, provided such notification is received
187 by the director of revenue on or before the first day of July of the year in which the transferring
188 ordinance is adopted. If such notification is received by the director of revenue after the first day
189 of July of the year in which the transferring ordinance is adopted, then distribution to such city
190 as a part of its former group shall cease and as a part of its new group shall begin the first day
191 of July of the year following such notification to the director of revenue. Once a group A city,
192 town or village becomes a part of group B, such city may not transfer back to group A.

193 7. If any city, town or village shall hereafter change or alter its boundaries, the city clerk
194 of the municipality shall forward to the director of revenue, by registered mail, a certified copy
195 of the ordinance adding or detaching territory from the municipality. The ordinance shall reflect
196 the effective date thereof, and shall be accompanied by a map of the municipality clearly
197 showing the territory added thereto or detached therefrom. Upon receipt of the ordinance and
198 map, the tax imposed by sections 66.600 to 66.630 shall be redistributed and allocated in
199 accordance with the provisions of this section on the effective date of the change of the
200 municipal boundary so that the proper percentage of group B distributable revenue is allocated
201 to the municipality in proportion to any annexed territory. If any area of the unincorporated
202 county elects to incorporate subsequent to the effective date of the county sales tax as set forth
203 in sections 66.600 to 66.630, the newly incorporated municipality shall remain a part of group
204 B. The city clerk of such newly incorporated municipality shall forward to the director of
205 revenue, by registered mail, a certified copy of the incorporation election returns and a map of
206 the municipality clearly showing the boundaries thereof. The certified copy of the incorporation
207 election returns shall reflect the effective date of the incorporation. Upon receipt of the
208 incorporation election returns and map, the tax imposed by sections 66.600 to 66.630 shall be
209 distributed and allocated in accordance with the provisions of this section on the effective date
210 of the incorporation.

211 8. The director of revenue may authorize the state treasurer to make refunds from the
212 amounts in the trust fund and credited to any county for erroneous payments and overpayments
213 made, and may redeem dishonored checks and drafts deposited to the credit of such counties.
214 If any county abolishes the tax, the county shall notify the director of revenue of the action at
215 least ninety days prior to the effective date of the repeal and the director of revenue may order
216 retention in the trust fund, for a period of one year, of two percent of the amount collected after
217 receipt of such notice to cover possible refunds or overpayment of the tax and to redeem
218 dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed
219 after the effective date of abolition of the tax in such county, the director of revenue shall remit
220 the balance in the account to the county and close the account of that county. The director of
221 revenue shall notify each county of each instance of any amount refunded or any check redeemed
222 from receipts due the county.

223 9. Except as modified in sections 66.600 to 66.630, all provisions of sections 32.085 and
224 32.087 shall apply to the tax imposed under sections 66.600 to 66.630.

67.547. 1. In addition to the tax authorized by section 67.505, any county may, by a
2 majority vote of its governing body, impose an additional county sales tax on all sales which are
3 subject to taxation under the provisions of sections 144.010 to 144.525. The tax authorized by
4 this section shall be in addition to any and all other sales tax allowed by law; except that no

5 ordinance or order imposing a sales tax under the provisions of this section shall be effective
6 unless the governing body of the county submits to the voters of the county, at a county or state
7 general, primary or special election, a proposal to authorize the governing body of the county to
8 impose such tax.

9 **2. (1) In any county that is not a county with a charter form of government and**
10 **with more than nine hundred fifty thousand inhabitants,** the ballot of submission shall
11 contain, but need not be limited to the following language:

12 Shall the county of (county's name) impose a countywide sales tax of
13 (insert rate) percent?

14 YES NO

15 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed
16 to the question, place an "X" in the box opposite "NO".

17 **(2) In any county with a charter form of government and with more than nine**
18 **hundred fifty thousand inhabitants, the ballot of submission shall contain but need not be**
19 **limited to the following language:**

20 **"Shall the county of (insert county's name) impose a countywide sales tax of**
21 **(insert rate) percent in the part of the county outside incorporated cities, towns, and**
22 **villages?".**

23 **(3) If a majority of the votes cast on the proposal by the qualified voters voting thereon**
24 **are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in**
25 **effect. If a majority of the votes cast by the qualified voters voting are opposed to the proposal,**
26 **then the governing body of the county shall have no power to impose the sales tax as herein**
27 **authorized unless and until the governing body of the county submits another proposal to**
28 **authorize the governing body of the county to impose the sales tax under the provisions of this**
29 **section and such proposal is approved by a majority of the qualified voters voting thereon.**

30 **3. In any county of the third classification without a township form of government**
31 **and with more than eighteen thousand but fewer than twenty thousand inhabitants and**
32 **with a city of the fourth classification with more than three thousand but fewer than three**
33 **thousand seven hundred inhabitants as the county seat,** the sales tax may be imposed at a rate
34 of one-eighth of one percent, one-fourth of one percent, three-eighths of one percent, or one-half
35 of one percent on the receipts from the sale at retail of all tangible personal property or taxable
36 services at retail within any county adopting such tax, if such property and services are subject
37 to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525.

38 **4. In any county with a charter form of government and with more than nine**
39 **hundred fifty thousand inhabitants, the sales tax may be imposed at a rate of up to**
40 **one-fourth of one percent on the receipts from the sale at retail of all tangible personal**

41 **property or taxable services at retail within any county adopting such tax, if such property**
42 **and services are subject to taxation by the state of Missouri under the provisions of sections**
43 **144.010 to 144.525.**

44 **5.** Except as modified in this section, all provisions of sections 32.085 and 32.087 shall
45 apply to the tax imposed under this section.

46 [5.] **6.** In any first class county having a charter form of government and having a
47 population of nine hundred thousand or more, the proceeds of the sales tax authorized by this
48 section shall **only** be [distributed so that an amount equal to three-eighths of the proceeds of the
49 tax shall be distributed to the county and the remaining five-eighths shall be distributed to the
50 cities, towns and villages and the unincorporated area of the county on the ratio that the
51 population of each bears to the total population of the county. The population of each city, town
52 or village and the unincorporated area of the county and the total population of the county shall
53 be determined on the basis of the most recent federal decennial census] **collected in the part of**
54 **the county outside incorporated cities, towns, and villages and distributed to the county**
55 **based on the location in which the sales were deemed consummated under subsection 12**
56 **of section 32.087.**

57 [6.] **7.** In any county of the second classification with more than nineteen thousand seven
58 hundred but fewer than nineteen thousand eight hundred inhabitants, the proceeds of the sales
59 tax authorized by this section shall be distributed so that an amount equal to three-fourths of the
60 proceeds of the tax shall be distributed to the county and the remaining one-fourth shall be
61 distributed equally among the incorporated cities, towns, and villages of the county. Upon
62 request from any city, town, or village within the county, the county shall make available for
63 inspection the distribution report provided to the county by the department of revenue. Any
64 expenses incurred by the county in supplying such report to a city, town, or village shall be paid
65 by such city, town, or village.

66 [7.] **8.** In any first class county having a charter form of government and having a
67 population of nine hundred thousand or more, no tax shall be imposed pursuant to this section
68 for the purpose of funding in whole or in part the construction, operation or maintenance of a
69 sports stadium, field house, indoor or outdoor recreational facility, center, playing field, parking
70 facility or anything incidental or necessary to a complex suitable for any type of professional
71 sport or recreation, either upon, above or below the ground.

72 [8.] **9.** The director of revenue may authorize the state treasurer to make refunds from
73 the amounts in the trust fund and credited to any county for erroneous payments and
74 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of
75 such counties. If any county abolishes the tax, the county shall notify the director of revenue of
76 the action at least ninety days prior to the effective date of the repeal and the director of revenue

77 may order retention in the trust fund, for a period of one year, of two percent of the amount
78 collected after receipt of such notice to cover possible refunds or overpayment of the tax and to
79 redeem dishonored checks and drafts deposited to the credit of such accounts. After one year
80 has elapsed after the effective date of abolition of the tax in such county, the director of revenue
81 shall remit the balance in the account to the county and close the account of that county. The
82 director of revenue shall notify each county of each instance of any amount refunded or any
83 check redeemed from receipts due the county.

94.857. 1. All sales taxes collected by the director of revenue under sections 94.850 to
2 94.857, less one percent for cost of collection which shall be deposited in the state's general
3 revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall
4 be deposited in a special trust fund, which is hereby created, to be known as the "Special
5 Municipal Sales Tax Trust Fund". The moneys in the special municipal sales tax trust fund shall
6 not be deemed to be state funds and shall not be commingled with any funds of the state. The
7 director of revenue shall keep accurate records of the amount of money in the trust fund which
8 was collected in each municipality imposing the sales tax established in sections 94.850 to
9 94.857, and the records shall be open to the inspection of officers of the municipality and the
10 public.

11 2. The special municipal sales tax trust fund shall be distributed in conjunction with the
12 county sales tax levied under sections 66.600 to 66.630 and may be combined by the director of
13 revenue in a single payment. **Until January 1, 2014**, the director of revenue shall distribute to
14 the municipality levying the tax a portion of the taxes based on the location in which the sales
15 were deemed consummated under subsection 12 of section 32.087 in accordance with the
16 formula described in this subsection. Except for distributions relating to recently annexed areas
17 described in subsection 4 of this section, after deducting the distribution to the municipality, the
18 director of revenue shall distribute the remaining funds in the special municipal sales tax fund
19 to the cities, towns and villages and the county in group B as defined in section 66.620 as
20 follows: To the county, ten percent multiplied by the percentage of the population of
21 unincorporated county which has been annexed or incorporated since April 1, 1993, multiplied
22 by the total sales tax revenues, and a percentage of the remaining distributable revenue equal to
23 the percentage ratio that the population of the unincorporated areas of the county bears to the
24 total population of group B; and to each city, town or village in group B located wholly within
25 the taxing county, a percentage of the remaining distributable revenue equal to the percentage
26 ratio that the population of such city, town or village bears to the total population of group B; and
27 to each city, town or village located partly within the taxing county, a percentage of the
28 remaining distributable revenue equal to the percentage ratio that the population of that part of

29 the city, town or village located within the taxing county bears to the total population of group
30 B.

31 **3. Until January 1, 2014**, for purposes of administering the distribution formula of
32 subsection 2 of this section, the revenues arising each year from sales occurring within the
33 municipality shall be shared as follows: The municipality shall receive that portion of the
34 revenues arising from sales occurring within the municipality that remains after deducting
35 therefrom an amount equal to the cumulative sales tax revenues arising from sales within the
36 municipality multiplied by the sum of ten percent multiplied by the percentage of the population
37 of unincorporated county which has been annexed or incorporated after April 1, 1993, and the
38 greater of 12.5 percent or the percentage equal to the product of 11.627 multiplied by the
39 logarithm (to base 10) of the product of 0.15 multiplied by the total of the cumulative per capita
40 sales taxes arising from sales within the municipality pursuant to sections 94.850 to 94.857 less
41 one-eighth, in the case of a one-eighth of one percent sales tax, or one quarter, in the case of a
42 one-fourth of one percent sales tax, of the per capita countywide average of all sales tax
43 distributions during the prior calendar year under section 66.620, which average is reduced by
44 the percentage which is equal to ten percent multiplied by the percentage of the population of
45 unincorporated county which has been annexed or incorporated after April 1, 1993.

46 **4. Until January 1, 2014**, sales taxes arising from sales within recently annexed areas
47 pursuant to sections 94.850 to 94.857 shall be divided half to the municipality and half to the
48 county until the fifth anniversary of the effective date of the annexation, and shall thereafter be
49 distributed as provided in subsections 2 and 3 of this section. A "recently annexed area" is any
50 area which was annexed or incorporated from or in the unincorporated area of the county less
51 than five years prior to the effective date of the sales tax under sections 94.850 to 94.857.

52 **5. Beginning January 1, 2014, the director of revenue shall distribute to the**
53 **municipality levying the tax a portion of the taxes based on the location in which the sales**
54 **were deemed consummated under subsection 12 of section 32.087.**

55 **6.** Not later than the tenth day of each month, the director of revenue shall distribute all
56 moneys deposited in the special municipal sales tax trust fund during the preceding month as
57 provided in this section.

58 **[6.] 7.** The director of revenue may authorize the state treasurer to make refunds from
59 the amounts in the trust fund and credited to any municipality for erroneous payments and
60 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of
61 such municipalities. If any city, town or village abolishes the tax, the municipality shall notify
62 the director of revenue of the action at least ninety days prior to the effective date of the repeal
63 and the director of revenue may order retention in the trust fund, for a period of one year, of two
64 percent of the amount collected after receipt of such notice to cover possible refunds or

65 overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of
 66 such accounts. After one year has elapsed after the effective date of abolition of the tax in such
 67 municipality, the director of revenue shall remit the balance in the account to the municipality
 68 and close the account. The director of revenue shall notify each county of each instance of any
 69 amount refunded or any check redeemed from receipts due the municipality.

2 [67.581. 1. In addition to the sales tax permitted by sections 66.600 to
 3 66.630, any county of the first class having a charter form of government and
 4 having a population of nine hundred thousand or more may impose an additional
 5 countywide sales tax upon approval by a vote of the qualified voters of the
 6 county. The proposal may be submitted to the voters by the governing body of
 7 the county and shall be submitted to the voters at the next general election upon
 8 petitions signed by a number of qualified voters residing in the county equal to
 9 at least eight percent of the votes cast in the county in the next preceding
 10 gubernatorial election filed with the governing body of the county.
 11 The submission shall include the levying of a sales tax at a rate of not to exceed
 12 two hundred seventy-five one-thousandths of one percent on the receipts from the
 13 sale at retail of all tangible personal property or taxable services within the
 14 county which are also taxable under the provisions of sections 66.600 to 66.630,
 15 and shall provide for the distribution of the proceeds in the manner provided in
 16 either subsection 4 or subsection 5 of this section. If either of the alternative
 17 distribution systems as provided in subsection 4 or subsection 5 of this section
 18 is approved by the voters, then the alternative system of distribution may not be
 19 submitted to the voters for at least three years from the date of such voter
 approval.

20 2. The ballot of submission shall contain, but is not limited to, the
 21 following language:

22 Shall the County of levy an additional sales tax at the rate of
 23 (insert rate) and distribute the proceeds in the manner provided in
 24 (insert proper reference) (subsection 4)(subsection 5) of section
 25 67.581, RSMo?

26 YES NO

27 If a majority of the votes cast on the proposal by the qualified voters voting
 28 thereon are in favor of the proposal, the additional sales tax shall be levied and
 29 collected and the proceeds from the additional tax shall be distributed as provided
 30 in either subsection 4 or subsection 5 of this section. If a majority of the votes
 31 cast by the qualified voters voting thereon are opposed to the proposal, then the
 32 governing body of the county shall have no power to impose the additional sales
 33 tax authorized by this section unless and until a proposal for the levy of such tax
 34 is submitted to and approved by the voters of the county.

35 3. The provisions of sections 66.600 to 66.630 and sections 32.085 and
 36 32.087, except to the extent otherwise provided in this section, shall govern the

37 levy, collection, distribution and other procedures related to an additional sales
38 tax imposed pursuant to this section.

39 4. In any county adopting an additional sales tax pursuant to the
40 provisions of this section, and selecting the method of distribution provided in
41 this subsection, the proceeds from the sales tax imposed pursuant to this section,
42 less one percent collection cost, shall be distributed first to those municipalities
43 that did not receive during the preceding calendar year ninety-five percent of the
44 amount the municipality would have received by multiplying the population of
45 the municipality by the average per capita sales tax receipt for such county in an
46 amount which will bring each municipality receipt of sales tax moneys up to
47 ninety-five percent of the average per capita receipts from the proceeds of the
48 sales tax imposed pursuant to sections 66.600 to 66.630. Any remainder of the
49 money received from the sales tax imposed pursuant to this section shall be
50 distributed to all municipalities on the ratio that the population of each
51 municipality bears to the total population of the county. The average per capita
52 sales tax distribution shall be calculated by dividing the sum of the total sales tax
53 revenue derived from the tax imposed pursuant to sections 66.600 to 66.630 by
54 the total population of the county. Population of each municipality, of the
55 unincorporated area of the county, and the total population of the county shall be
56 determined on the basis of the most recent federal decennial census.
57 For the purposes of this subsection, any city, town, village or the unincorporated
58 area of the county shall be considered a municipality.

59 5. In any county adopting an additional sales tax pursuant to the
60 provisions of this section and selecting the method of distribution provided in this
61 subsection, the proceeds from the sales tax imposed pursuant to this section, less
62 one percent collection cost, shall be distributed to all cities, towns and villages,
63 and the unincorporated areas of the county in group B and to such cities, towns
64 and villages in group A as necessary so that no city, town, or village in group A
65 receives from the combined proceeds of both the sales tax imposed pursuant to
66 this section and the sales tax imposed pursuant to sections 66.600 to 66.630, less
67 than the per capita amount received by the cities, towns and villages and the
68 unincorporated area of the county in group B receives from the total proceeds
69 from both sales taxes.

70 6. The governing body of any county which is imposing a sales tax under
71 the provisions of sections 66.600 to 66.630 may on its own motion and shall,
72 upon petitions filed with the governing body of the county signed by a number
73 of qualified voters residing in the county equal to at least eight percent of the
74 votes cast in the county at the next preceding gubernatorial election, submit to the
75 qualified voters of the county a proposal to change the method of distribution of
76 sales tax proceeds from the manner provided in subsection 2 of section 66.620
77 to the method provided in this subsection. The ballot of submission shall be in
78 substantially the following form:

79 Shall the proceeds from the county sales tax be distributed among the
80 county of and the various cities, towns and villages therein in the
81 manner provided in subdivisions (1) and (2) of subsection 6 of section 67.581,
82 RSMo, in lieu of the present manner of distribution?

83 YES NO

84 If a majority of the votes cast on the proposal by the qualified voters of the county
85 voting thereon are in favor of the proposal, the sales tax imposed by the county
86 under the provisions of sections 66.600 to 66.630 shall be distributed in the
87 manner provided in this subsection and not in the manner provided in subsection
88 2 of section 66.620. If a majority of the votes cast by the qualified voters of the
89 county voting thereon are opposed to the proposal, then the governing body of the
90 county shall have no power to order the proceeds from the sales tax imposed
91 pursuant to the provisions of sections 66.600 to 66.630 in the manner provided
92 in this subsection in lieu of the method provided in subsection 2 of section
93 66.620, unless and until a proposal authorizing such method of distribution is
94 submitted to and approved by the voters of the county. If the voters approve the
95 change in the method of distribution of the sales tax proceeds in the manner
96 provided in this subsection, the county clerk of the county shall notify the director
97 of revenue of the change in the method of distribution within ten days after
98 adoption of the proposal and shall inform the director of the effective date of the
99 change in the method of distribution, which shall be on the first day of the third
100 calendar quarter after the director of revenue receives notice. After the effective
101 date of the change in the manner of distribution, the director of revenue shall
102 distribute the proceeds of the sales tax imposed by such county under the
103 provisions of sections 66.600 to 66.630 in the manner provided in this subsection
104 in lieu of the manner of distribution provided in subsection 2 of section 66.620.
105 The proceeds of the sales tax imposed under the provisions of sections 66.600 to
106 66.630 in any county which elects to have the proceeds distributed in the manner
107 provided in this subsection shall be distributed in the following manner:

108 (1) The proceeds from the sales taxes shall be distributed to the cities,
109 towns and villages in group A and to the cities, towns and villages, and the
110 county in group B as defined in section 66.620 in the manner provided in
111 subsection 2 of section 66.620, until an amount equal to the total amount
112 distributed under section 66.620 for the twelve-month period immediately
113 preceding the effective date of the tax levied pursuant to the provisions of this
114 section has been distributed;

115 (2) All moneys received in excess of the total amount distributed under
116 section 66.620 for the twelve-month period immediately preceding the effective
117 date of the tax levied pursuant to the provisions of this section shall be distributed
118 to all cities, towns and villages and to the county on the basis that the population
119 of each city, town or village, and in the case of the county the basis that the
120 population of the unincorporated area of the county, bears to the total population
121 of the county. The average per capita sales tax distribution shall be calculated by

122 dividing the sum of the remaining amount of the total sales tax revenues by the
123 total population of the county. Population of each city, town or village, of the
124 unincorporated area of the county, and the total population of the county shall be
125 determined on the basis of the most recent federal decennial census.

126 7. No municipality incorporated after the adoption of the tax authorized
127 by this section shall be included as other than part of the unincorporated area of
128 the county nor receive any share of either the proceeds from the tax levied
129 pursuant to the provisions of this section or the tax levied pursuant to the
130 provisions of sections 66.600 to 66.630 unless, at the time of incorporation, such
131 municipality had a population of ten thousand or more.

132 8. The county sales tax imposed pursuant to this section on the purchase
133 and sale of motor vehicles shall not be collected and remitted by the seller, but
134 shall be collected by the director of revenue at the time application is made for
135 a certificate of title, if the address of the applicant is within the county imposing
136 the additional sales tax. The amounts so collected, less one percent collection
137 cost, shall be deposited in the county sales tax trust fund to be distributed in
138 accordance with section 66.620. The purchase or sale of motor vehicles shall be
139 deemed to be consummated at the address of the applicant for a certificate of title.

140 9. No tax shall be imposed pursuant to this section for the purpose of
141 funding in whole or in part the construction, operation or maintenance of a sports
142 stadium, field house, indoor or outdoor recreational facility, center, playing field,
143 parking facility or anything incidental or necessary to a complex suitable for any
144 type of professional sport, either upon, above or below the ground.

145 10. The director of revenue may authorize the state treasurer to make
146 refunds from the amounts in the trust fund and credited to any county for
147 erroneous payments and overpayments made, and may redeem dishonored checks
148 and drafts deposited to the credit of such counties. If any county abolishes the
149 tax, the county shall notify the director of revenue of the action at least ninety
150 days prior to the effective date of the repeal and the director of revenue may order
151 retention in the trust fund, for a period of one year, of two percent of the amount
152 collected after receipt of such notice to cover possible refunds or overpayment of
153 the tax and to redeem dishonored checks and drafts deposited to the credit of such
154 accounts. After one year has elapsed after the effective date of abolition of the
155 tax in such county, the director of revenue shall remit the balance in the account
156 to the county and close the account of that county. The director of revenue shall
157 notify each county of each instance of any amount refunded or any check
158 redeemed from receipts due the county.]

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