

HCS SS SCS SB 87 -- POLITICAL SUBDIVISIONS

SPONSOR: Emery (Bondon)

COMMITTEE ACTIONS: Voted "Do Pass with Amendments" by the Standing Committee on Local Government by a vote of 8 to 3. Voted "Do Pass with HCS" by the Select Committee on State and Local Governments by a vote of 7 to 2.

This bill changes the laws regarding political subdivisions. In its main provisions, the bill:

(1) Requires the State Auditor to audit any political subdivision of the state if requested to do so by a petition only if it is submitted by a person who resides or owns real property within the boundaries or area of service of the political subdivision, the petition is submitted within one year from requesting the petition, and it is signed by the required percent of qualified voters of the subdivision. Any person who has signed or allegedly signed the petition may submit a sworn statement to the State Auditor that he or she did not sign the petition or that he or she wishes to rescind the signature. The statement must be made within 10 days from submission of the petition to the State Auditor. If the statement is timely filed, the signature must be withdrawn and must not count toward the required threshold;

(2) Raises the outer threshold amount for a county to be eligible to collect the 2.5% on the first \$350,000 to \$3 million. Under current law, county collectors must collect a specified amount of fees for collecting local taxes. In counties where the total amount levied in a year is between \$350,000 and \$2 million, the fee is 2.5% on the first \$350,000 collected and 1% on the rest. In counties where the total amount levied exceeds \$2 million, the fee is 1% on all amounts collected;

(3) Allows counties in which townships have been abolished to continue to collect a property tax on a county-wide basis for road and bridge purposes for either one year following the abolishment of the townships or until the county voters have approved a property tax for such purposes, whichever occurs first. The property tax must be the same amount as the property tax being levied in the township with the lowest total tax rate immediately before the townships were abolished. The collection of the property tax is to be considered a continuation of a tax and not a new tax;

(4) Authorizes the cities of Liberty and North Kansas City to impose, upon voter approval, a sales tax of up to .5% solely for the purpose of improving the public safety of the city, including

expenditures on equipment, salaries and benefits, and facilities for police, fire, and emergency medical providers;

(5) Specifies that the levy rate for certain local government general obligation bond issues must be set at the rate needed to meet the bond payment obligation and may be adjusted solely to meet that obligation. The levy rate set by a drainage or levee district for the payment of bonds must be set at a rate determined by the boards of supervisors;

(6) Extends the expiration date of the provisions authorizing the commission of any regional jail district to submit a ballot proposal imposing a region-wide sales tax for the purpose of funding a regional jail from September 30, 2015, to September 30, 2027;

(7) Clarifies that the affidavit required to be filed with the city clerk in Kansas City by a limited liability company (LLC) that owns or rents real property or owns unoccupied property within the city must contain a street address and the name of a natural person with management control or responsibility for the real property. The LLC must file a successor affidavit within 30 days of a change in the natural person with management control or responsibility for the real property. The city cannot charge a fee for the filing of the affidavit or successor affidavit. If a LLC fails or refuses to file the affidavit, any person adversely affected by the failure or refusal, or the city, may petition the circuit court in the county where the property is located to direct the completion and filing of the affidavit;

(8) Prohibits a political subdivision from establishing, mandating, or otherwise requiring an employer to provide to an employee a minimum wage rate or employment benefits that exceed the requirements of federal or state laws, rules, or regulations. The bill also prohibits a political subdivision from prohibiting an employer from inquiring into or considering a job applicant's criminal history on an initial employment application. The State Auditor, when auditing political subdivisions, must have the authority to verify that the political subdivision is complying with the provisions of this section;

(9) Provides that, notwithstanding any other provision of law to the contrary, the total license taxes, including those taxes authorized under Sections 94.360 and 94.270, RSMo, imposed upon hotels and motels by any city may not exceed one-eighth of one percent of the gross revenue of the hotel or motel or the tax rate imposed upon hotels and motels as of May 1, 2015, whichever is greater. This provision will not apply to any tax imposed in compliance with subsection 7 of Section 94.270 or imposed under

Section 92.045; and

(10) Provides that holders of an occupational license issued by the Missouri Gaming Commission as an unarmed security guard on an excursion gambling boat or adjacent facility are exempt from any other political subdivision's licensing requirements for unarmed security guards.

PROPOSERS: Supporters say that persons who are disgruntled by the actions of a political subdivision have used this process to cause financial harm to the political subdivision, without cause.

Testifying for the bill were Senator Emery; Missouri State Auditor; Missouri Municipal League; and Missouri Rural Water Association.

OPPOSERS: There was no opposition voiced to the committee.