

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 869, Page22 , Section 99.845, Line 335,

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3 "205.205. 1. The governing body of any hospital district established under sections 205.160
4 to 205.379 in any county of the third classification without a township form of government and with
5 more than ten thousand six hundred but fewer than ten thousand seven hundred inhabitants, [or] any
6 county of the third classification without a township form of government and with more than eleven
7 thousand seven hundred fifty but fewer than eleven thousand eight hundred fifty inhabitants, or any
8 county of the third classification with a township form of government and with more than twelve
9 thousand but fewer than fourteen thousand inhabitants and with a city of the fourth classification
10 with more than four thousand five hundred but fewer than five thousand inhabitants as the county
11 seat may, by resolution, abolish the property tax authorized in such district under this chapter and
12 impose a sales tax on all retail sales made within the district which are subject to sales tax under
13 chapter 144 and all sales of metered water services, electricity, electrical current and natural,
14 artificial or propane gas, wood, coal, or home heating oil for domestic use only as provided under
15 section 144.032. The tax authorized in this section shall be not more than one percent, and shall be
16 imposed solely for the purpose of funding the hospital district. The tax authorized in this section
17 shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all
18 other charges and taxes.

19 2. No such resolution adopted under this section shall become effective unless the governing
20 body of the hospital district submits to the voters residing within the district at a state general,
21 primary, or special election a proposal to authorize the governing body of the district to impose a tax
22 under this section. If a majority of the votes cast on the question by the qualified voters voting
23 thereon are in favor of the question, then the tax shall become effective on the first day of the
24 second calendar quarter after the director of revenue receives notification of adoption of the local
25 sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are
26 opposed to the question, then the tax shall not become effective unless and until the question is
27 resubmitted under this section to the qualified voters and such question is approved by a majority of
28 the qualified voters voting on the question.

29 3. All revenue collected under this section by the director of the department of revenue on
30 behalf of the hospital district, except for one percent for the cost of collection which shall be
31 deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is
32 hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used
33 solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and
34 shall not be commingled with any funds of the state. The director may make refunds from the
35 amounts in the fund and credited to the district for erroneous payments and overpayments made,
36 and may redeem dishonored checks and drafts deposited to the credit of such district. Any funds in

Standing Action Taken _____ Date _____

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1 the special fund which are not needed for current expenditures shall be invested in the same manner
2 as other funds are invested. Any interest and moneys earned on such investments shall be credited
3 to the fund.

4 4. The governing body of any hospital district that has adopted the sales tax authorized in
5 this section may submit the question of repeal of the tax to the voters on any date available for
6 elections for the district. If a majority of the votes cast on the question by the qualified voters
7 voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first
8 of the calendar year in which such repeal was approved. If a majority of the votes cast on the
9 question by the qualified voters voting thereon are opposed to the repeal, then the sales tax
10 authorized in this section shall remain effective until the question is resubmitted under this section
11 to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the
12 question.

13 5. Whenever the governing body of any hospital district that has adopted the sales tax
14 authorized in this section receives a petition, signed by a number of registered voters of the district
15 equal to at least ten percent of the number of registered voters of the district voting in the last
16 gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the
17 governing body shall submit to the voters of the district a proposal to repeal the tax. If a majority of
18 the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the
19 repeal shall become effective on December thirty-first of the calendar year in which such repeal was
20 approved. If a majority of the votes cast on the question by the qualified voters voting thereon are
21 opposed to the repeal, then the sales tax authorized in this section shall remain effective until the
22 question is resubmitted under this section to the qualified voters and the repeal is approved by a
23 majority of the qualified voters voting on the question.

24 6. If the tax is repealed or terminated by any means, all funds remaining in the special trust
25 fund shall continue to be used solely for the designated purposes, and the hospital district shall
26 notify the director of the department of revenue of the action at least ninety days before the effective
27 date of the repeal and the director may order retention in the trust fund, for a period of one year, of
28 two percent of the amount collected after receipt of such notice to cover possible refunds or
29 overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such
30 accounts. After one year has elapsed after the effective date of abolition of the tax in such district,
31 the director shall remit the balance in the account to the district and close the account of that district.
32 The director shall notify each district of each instance of any amount refunded or any check
33 redeemed from receipts due the district."; and
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35 Further amend said bill by amending the title, enacting clause, and intersectional references
36 accordingly.