

FIRST REGULAR SESSION

SENATE BILL NO. 611

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR LOUDON.

Read 1st time March 1, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

2161S.011

AN ACT

To repeal section 226.200, RSMo 2000, relating to transportation funding, and to enact in lieu thereof two new sections relating to the same subject, with a contingent effective date.

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

Section A. Section 226.200 RSMo 2000, is repealed and two new sections enacted in lieu thereof, to be known as sections 226.200 and 226.227, to read as follows:

226.200. 1. There is hereby created a "State Highways and Transportation Department Fund" into which shall be paid or transferred all state revenue derived from highway users as an incident to their use or right to use the highways of the state, including all state license fees and taxes upon motor vehicles, trailers, and motor vehicle fuels, and upon, with respect to, or on the privilege of the manufacture, receipt, storage, distribution, sale or use thereof (excepting the sales tax on motor vehicles and trailers, and all property taxes), and all other revenue received or held for expenditure by or under the department of transportation or the state highways and transportation commission, except:

- (1) Money arising from the sale of bonds;
- (2) Money received from the United States government; or
- (3) Money received for some particular use or uses other than for the payment of principal and interest on outstanding state road bonds.

2. Subject to the limitations of subsection 3 of this section, from said fund shall be paid or credited the cost:

- (1) Of collection of all said state revenue derived from highway users as an incident to their use or right to use the highways of the state;

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

- (2) Of maintaining the state highways and transportation commission;
- (3) Of maintaining the state transportation department;
- (4) Of any workers' compensation for state transportation department employees;
- (5) Of the share of the transportation department in any retirement program for state employees, only as may be provided by law; and
- (6) Of administering and enforcing any state motor vehicle laws or traffic regulations.

3. [For all future fiscal years,] The total amount of appropriations from the state highways and transportation department fund for all state offices and departments shall not exceed the total amount appropriated for such offices and departments from said fund for fiscal year 2001. **Beginning July 1, 2003, the total amount of appropriations from the state highways and transportation department fund for all state offices and departments, other than the department of transportation, shall be reduced to zero. The amount previously appropriated in the most recent fiscal year to the state offices and departments shall be credited to the state road fund to be used for the purpose of repairing, rehabilitating, constructing, improving or expanding the state highway system.**

4. The provisions of subsection 3 of this section shall not apply to appropriations from the state highways and transportation department fund to the highways and transportation commission and the state transportation department or to appropriations to the office of administration for department of transportation employee fringe benefits and OASDHI payments, or to appropriations to the department of revenue for motor vehicle fuel tax refunds under chapter 142, RSMo, or to appropriations to the department of revenue for refunds or overpayments or erroneous payments from the state highways and transportation department fund.

5. All interest earned upon the state highways and transportation department fund shall be deposited in and to the credit of such fund.

6. Any balance remaining in said fund after payment of said costs shall be transferred to the state road fund.

7. Notwithstanding the provisions of subsection 2 of this section to the contrary, any funds raised as a result of increased taxation pursuant to sections 142.025 and 142.372, RSMo, after April 1, 1992, shall not be used for administrative purposes or administrative expenses of the transportation department.

226.227. Beginning January 1, 2003, one-half of the proceeds of the state sales tax on all motor vehicles, trailers, motorcycles and motortricycles, which is not distributed pursuant to subsection 2 of section 30(b) of article IV of the constitution of Missouri, shall be credited to the state road fund, as provided in section 226.220, from the undesignated proceeds of such sales tax.

Section B. The repeal and reenactment of section 226.200 shall become effective only upon approval by the voters of an amendment to article IV, Constitution of Missouri, removing the use

of state revenue derived from highway users for collection purposes and for administering state motor vehicle laws.

T

Unofficial

Bill

Copy