

SECOND REGULAR SESSION

SENATE BILL NO. 975

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATORS STEELMAN, BENTLEY, YECKEL, SIMS AND BLAND.

Read 1st time January 17, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

3886S.021

AN ACT

To amend chapter 144, RSMo, by adding thereto one new section relating to a temporary exemption from state and local sales and use tax on retail sales of clothing and school supplies before the start of the school year, with an emergency clause.

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

Section A. Chapter 144, RSMo, is amended by adding thereto one new section, to be known as section 144.049, to read as follows:

144.049. During the period beginning 12:01 a.m. on the first Saturday in August through midnight on the second Sunday in August, there is hereby specifically exempted from the provisions of the state sales and use tax law as defined in sections 144.010 to 144.811, and the local sales and use tax law as defined in section 32.085, RSMo, section 238.235, RSMo, and sections 144.010 to 144.811, and from the computation of the tax levied, assessed or payable pursuant to both state and local sales and use tax law, all retail sales of:

- (1) Any article of clothing having a taxable value of one hundred dollars or less;**
- (2) School supplies having a taxable value of twenty-five dollars or less; and**
- (3) Personal computers or computer peripheral devices having a taxable value of two thousand dollars or less.**

For purposes of this section, the term "clothing" means any article of wearing apparel, including footwear, intended to be worn on or about the human body. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands or belt buckles. The term "school supplies" means

any item normally used by students in a standard classroom for educational purposes including textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, bookbags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture or fixtures. For purposes of this section, the term "personal computers" means a laptop, desktop or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, digitalizer, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard or video card.

Section B. Because immediate action is necessary to prevent the imposition of sales tax on retail sales of clothing and school supplies, the enactment of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the enactment of this section shall be in full force and effect on July 1, 2002, or upon its passage and approval, whichever later occurs.

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