

FIRST REGULAR SESSION

SENATE BILL NO. 108

93RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR DOUGHERTY.

Pre-filed December 1, 2004, and ordered printed.

TERRY L. SPIELER, Secretary.

0407S.011

AN ACT

To repeal sections 67.1775, 210.860, and 210.861, RSMo, and to enact in lieu thereof three new sections relating to community services for children.

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

Section A. Sections 67.1775, 210.860, and 210.861, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 67.1775, 210.860, and 210.861, to read as follows:

67.1775. 1. The governing body of a city not within a county, or any county of this state may, after voter approval pursuant to this section, levy a sales tax not to exceed one-quarter of a cent in the county for the purpose of providing **those services for youth and families** described in section 210.861, RSMo[, including counseling, family support, and temporary residential services to persons nineteen years of age or less]. The question shall be submitted to the qualified voters of the county at a county or state general, primary or special election upon the motion of the governing body of the county or upon the petition of eight percent of the qualified voters of the county determined on the basis of the number of votes cast for governor in such county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county shall give legal notice as provided in chapter 115, RSMo. The question shall be submitted in substantially the following form:

Shall County [be authorized to levy a sales tax of (not to exceed one-quarter of a cent) in the county] **(or city, if applicable)** for the purpose of establishing a community children's services fund **solely** for the purpose of providing services to protect the well-being and safety of children and youth [nineteen years of age or less] and to strengthen families, **be authorized to levy a sales tax of in the county (or city, if applicable)?**

YES

NO

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

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall be levied and collected as otherwise provided by law. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not be levied unless and until the question is again submitted to the qualified voters of the county and a majority of such voters are in favor of such a tax, and not otherwise.

2. All revenues generated by the tax prescribed in this section shall be deposited in [the county treasury to the credit of] a special "Community Children's Services Fund" to accomplish the purposes set out herein and in section 210.861, RSMo, and shall be used for no other purpose. Such fund shall be administered by and expended only upon approval by a board of directors, established pursuant to section 210.861.

210.860. 1. The governing body of any county or city not within a county may, after voter approval pursuant to this section, levy a tax not to exceed twenty-five cents on each one hundred dollars of assessed valuation on taxable property in the county for the purpose of providing [counseling, family support, and temporary residential services to persons eighteen years of age or less] those services for youth and families described in section 210.861. The question shall be submitted to the qualified voters of the county or city not within a county at a county or state general, primary or special election upon the motion of the governing body of the county or city not within a county or upon the petition of eight percent of the qualified voters of the county determined on the basis of the number of votes cast for governor in such county or city not within a county at the last gubernatorial election held prior to the filing of the petition. The election officials of the county or city not within a county shall give legal notice as provided in chapter 115, RSMo. The question shall be submitted in substantially the following form:

Shall County (City) [be authorized to levy a tax of cents on each one hundred dollars of assessed valuation on taxable property in the county (city)] for the purpose of establishing a community children's services fund solely for purposes of providing [funds for counseling and related services to children and youth in the county (city) eighteen years of age or less and services which will promote healthy lifestyles among children and youth and strengthen families] services to protect the well-being and safety of children and youth and to strengthen families, be authorized to levy a tax of cents on each one hundred dollars of assessed valuation on taxable property in the County (City)?

YES

NO

If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall be levied and collected as otherwise provided by law. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not be levied unless and until the question is again

submitted to the qualified voters of the county or city not within a county and a majority of such voters are in favor of such a tax, and not otherwise.

2. All revenues generated by the tax prescribed in this section shall be deposited [in the county treasury to the credit of] a special "Community Children's Services Fund" **to accomplish the purposes set out herein and shall be used for no other purpose.** Such fund shall be administered by **and expended only upon approval by** a board of directors, established pursuant to section 210.861.

210.861. 1. When the tax prescribed by section 210.860 or section 67.1775, RSMo, is established, the governing body of the county shall appoint a board of directors consisting of nine members, who shall be residents of the county. All board members shall be appointed to serve for a term of three years, except that of the first board appointed, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. In a city not within a county, or any county of the first classification with a charter form of government with a population not less than nine hundred thousand inhabitants, or any county of the first classification with a charter form of government with a population not less than two hundred thousand inhabitants and not more than six hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than one hundred seventy thousand and not more than two hundred thousand inhabitants, or any noncharter county of the first classification with a population not less than eighty thousand and not more than eighty-three thousand inhabitants, or any third classification county with a population not less than twenty-eight thousand and not more than thirty thousand inhabitants, or any county of the third classification with a population not less than nineteen thousand five hundred and not more than twenty thousand inhabitants the members of the community mental health board of trustees appointed pursuant to the provisions of sections 205.975 to 205.990, RSMo, shall be the board members for the community children's services fund. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his duties and faithful accounting of all moneys that may come into his hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors. The board shall administer **and expend** all funds generated pursuant to section 210.860 or section 67.1775, RSMo, in a manner consistent with this section.

3. The board may contract with public or not-for-profit agencies licensed or certified where appropriate to provide qualified services and may place conditions on the use of such

funds. The board shall reserve the right to audit the expenditure of any and all funds. The board and any agency with which the board contracts may establish eligibility standards for the use of such funds and the receipt of services. No member of the board shall serve on the governing body, have any financial interest in, or be employed by any agency which is a recipient of funds generated pursuant to section 210.860 or section 67.1775, RSMo.

4. Revenues collected and deposited in the community children's services fund may be expended for the purchase of the following services **to protect the well-being and safety of children and youth twenty-one years of age or less and to strengthen families:**

(1) Up to thirty days of temporary shelter for abused, neglected, runaway, homeless or emotionally disturbed youth; respite care services; and services to unwed mothers;

(2) Outpatient chemical dependency and psychiatric treatment programs; counseling and related services as a part of transitional living programs; home-based and community-based family intervention programs; unmarried parent services; crisis intervention services, inclusive of telephone hotlines; and prevention programs which promote healthy lifestyles among children and youth and strengthen families;

(3) Individual, group, or family professional counseling and therapy services; psychological evaluations; and mental health screenings.

5. Revenues collected and deposited in the community children's services fund may not be expended for inpatient [medical, psychiatric, and chemical dependency services, or for transportation services] **treatment provided in any hospital.**

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