

SECOND REGULAR SESSION

# SENATE BILL NO. 1256

94TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR LAGER.

Read 1st time February 28, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal sections 92.110, 92.160, 92.210, and 92.250, RSMo, and to enact in lieu thereof four new sections relating to city earnings taxes.

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

Section A. Sections 92.110, 92.160, 92.210, and 92.250, RSMo, are  
2 repealed and four new sections enacted in lieu thereof, to be known as sections  
3 92.110, 92.160, 92.210, and 92.250, to read as follows:

92.110. 1. Any constitutional charter city in this state which now has or  
2 may hereafter acquire a population in excess of seven hundred thousand  
3 inhabitants, according to the last federal decennial census, is hereby authorized  
4 to levy and collect, by ordinance, for general revenue purposes, an earnings tax  
5 on the salaries, wages, commissions and other compensation earned by its  
6 residents; on the salaries, wages, commissions and other compensation earned by  
7 nonresidents of the city for work done or services performed or rendered in the  
8 city; on the net profits of associations, business or other activities conducted by  
9 residents; on the net profits of associations, businesses or other activities  
10 conducted in the city by nonresidents; and on the net profits earned by all  
11 corporations as the result of work done or services performed or rendered and  
12 business or other activities conducted in the city.

13 **2. The governing body of any city authorized to impose a tax**  
14 **under this section shall adopt a plan, no later than August 28, 2013, to**  
15 **repeal the imposition of such tax upon nonresidents.**

16 **3. Effective January 1, 2013, no city authorized, under subsection**  
17 **1 of this section, to levy and collect, by ordinance, for general revenue**  
18 **purposes, an earnings tax shall impose such tax upon the salaries,**  
19 **wages, commissions and other compensation earned by nonresidents of**

20 **the city for work done or services performed or rendered in the city;**  
21 **the net profits of associations, businesses or other activities conducted**  
22 **in the city by nonresidents; or the net profits earned by all**  
23 **corporations as the result of work done or services performed or**  
24 **rendered and business or other activities conducted in the city.**

92.160. 1. The earnings or net profits subject to tax of any nonresident individual, of any association or business conducted by nonresidents, or of any corporation, in any case in which the work done, services performed or rendered, and business or other activities conducted are done, performed, rendered or conducted both within and without the city may be ascertained by formulae set forth in any ordinance enacted pursuant to sections 92.110 to 92.200 or prescribed by rules or regulations adopted pursuant to such ordinance.

8 **2. The provisions of this section shall automatically sunset**  
9 **effective January 1, 2018.**

92.210. 1. Any constitutional charter city in this state which now has or may hereafter acquire a population of more than four hundred fifty thousand but less than seven hundred thousand inhabitants, according to the last federal decennial census, and any city with a population of seventy thousand or more inhabitants which is located entirely within one county which does not have a charter form of government, but which does have another state as one of its boundaries, and which does not adjoin a first class county with a population of at least nine hundred thousand inhabitants is hereby authorized to levy and collect, by ordinance, for general revenue purposes, an earnings tax on the salaries, wages, commissions and other compensation earned by its residents; on the salaries, wages, commissions and other compensation earned by nonresidents of the city for work done or services performed or rendered in the city; on the net profits of associations, businesses or other activities conducted by residents; on the net profits of associations, businesses or other activities conducted in the city by nonresidents; and on the net profits earned by all corporations as the result of work done or services performed or rendered and business or other activities conducted in the city.

18 **2. The governing body of any city authorized to impose a tax**  
19 **under this section shall adopt a plan, no later than August 28, 2013, the**  
20 **imposition of such tax upon nonresidents.**

21 **3. Effective January 1, 2013, no city authorized, under subsection**  
22 **1 of this section, to levy and collect, by ordinance, for general revenue**

23 **purposes, an earnings tax shall impose such tax upon the salaries,**  
24 **wages, commissions and other compensation earned by nonresidents of**  
25 **the city for work done or services performed or rendered in the city;**  
26 **the net profits of associations, businesses or other activities conducted**  
27 **in the city by nonresidents; or the net profits earned by all**  
28 **corporations as the result of work done or services performed or**  
29 **rendered and business or other activities conducted in the city.**

92.250. 1. The earnings or net profits subject to tax of any nonresident  
2 individual, of any association or business conducted by nonresidents, or of any  
3 corporation, in any case in which the work done, services performed or rendered,  
4 and business or other activities conducted or done, performed, rendered or  
5 conducted both within and without the city may be ascertained by formulae set  
6 forth in any ordinance enacted pursuant to sections 92.210 to 92.300 or prescribed  
7 by rules or regulations adopted pursuant to the ordinance.

8 **2. The provisions of this section shall automatically sunset**  
9 **effective January 1, 2018.**

Bill ✓

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