

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE BILL NO. 387

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BARNITZ.

Read 1st time February 17, 2009, and ordered printed.

Read 2nd time February 19, 2009, and referred to the Committee on Jobs, Economic Development and Local Government.

Reported from the Committee March 11, 2009, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 30, 2009. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

0820S.01P

AN ACT

To amend chapter 94, RSMo, by adding thereto one new section relating to transient guest taxes.

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

Section A. Chapter 94, RSMo, is amended by adding thereto one new
2 section, to be known as section 94.1011, to read as follows:

94.1011. 1. The governing body of any city of the third
2 classification with more than three thousand five hundred but fewer
3 than three thousand six hundred inhabitants may impose, by order or
4 ordinance, a tax on the charges for all sleeping rooms paid by the
5 transient guests of hotels or motels situated in the city or a portion
6 thereof. The tax shall be not more than three percent per occupied
7 room per night, and shall be imposed solely for the purpose of funding
8 the construction, maintenance, and repair of a multipurpose conference
9 and convention center. The tax authorized in this section shall be in
10 addition to the charge for the sleeping room and all other taxes
11 imposed by law, and shall be stated separately from all other charges
12 and taxes.

13 2. No such order or ordinance shall become effective unless the
14 governing body of the city submits to the voters of the city at a state
15 general, primary, or special election a proposal to authorize the
16 governing body of the city to impose a tax under this section. If a
17 majority of the votes cast on the question by the qualified voters voting
18 thereon are in favor of the question, then the tax shall become effective

19 on the first day of the second calendar quarter following the calendar
20 quarter in which the election was held. If a majority of the votes cast
21 on the question by the qualified voters voting thereon are opposed to
22 the question, then the tax shall not become effective unless and until
23 the question is resubmitted under this section to the qualified voters
24 of the city and such question is approved by a majority of the qualified
25 voters voting on the question.

26 3. All revenue generated by the tax shall be collected by the city
27 collector of revenue, shall be deposited in a special trust fund, and
28 shall be used solely for the designated purposes. If the tax is repealed,
29 all funds remaining in the special trust fund shall continue to be used
30 solely for the designated purposes. Any funds in the special trust fund
31 that are not needed for current expenditures may be invested by the
32 governing body in accordance with applicable laws relating to the
33 investment of other city funds. Any interest and moneys earned on
34 such investments shall be credited to the fund.

35 4. The governing body of any city that has adopted the tax
36 authorized in this section may submit the question of repeal of the tax
37 to the voters on any date available for elections for the city. If a
38 majority of the votes cast on the proposal are in favor of the repeal,
39 that repeal shall become effective on December thirty-first of the
40 calendar year in which such repeal was approved. If a majority of the
41 votes cast on the question by the qualified voters voting thereon are
42 opposed to the repeal, then the tax authorized in this section shall
43 remain effective until the question is resubmitted under this section to
44 the qualified voters of the city, and the repeal is approved by a
45 majority of the qualified voters voting on the question.

46 5. Whenever the governing body of any city that has adopted the
47 tax authorized in this section receives a petition, signed by a number
48 of registered voters of the city equal to at least two percent of the
49 number of registered voters of the city voting in the last gubernatorial
50 election, calling for an election to repeal the tax imposed under this
51 section, the governing body shall submit to the voters of the city a
52 proposal to repeal the tax. If a majority of the votes cast on the
53 question by the qualified voters voting thereon are in favor of the
54 repeal, that repeal shall become effective on December thirty-first of
55 the calendar year in which such repeal was approved. If a majority of

56 the votes cast on the question by the qualified voters voting thereon
57 are opposed to the repeal, then the tax shall remain effective until the
58 question is resubmitted under this section to the qualified voters of the
59 city and the repeal is approved by a majority of the qualified voters
60 voting on the question.

61 6. As used in this section, "transient guests" means a person or
62 persons who occupy a room or rooms in a hotel or motel for thirty-one
63 days or less during any calendar quarter.

Unofficial

Bill

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