

FIRST REGULAR SESSION

SENATE BILL NO. 93

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KRAUS.

Read 1st time January 11, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

0676S.02I

AN ACT

To amend chapters 28 and 67, RSMo, by adding thereto two new sections relating to business origination requirements.

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

Section A. Chapters 28 and 67, RSMo, are amended by adding thereto two new sections, to be known as sections 28.175 and 67.132, to read as follows:

28.175. 1. As used in this section, the following terms shall mean:

(1) "Business entity", any person or group of persons seeking to perform or engage in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood who will employ at least ten employees;

(2) "Employee", any person performing work or service of any kind or character for hire within the state of Missouri.

2. Notwithstanding any other law to the contrary, all fees that the secretary of state requires a newly formed business entity to remit in order to conduct business in the state of Missouri shall be waived during the entity's first year of operation and remitted the following year according to the same schedule the entity would have been required to follow had the fees not been waived.

3. The department of revenue and the secretary of state shall jointly promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to

22 delay the effective date, or to disapprove and annul a rule are
23 subsequently held unconstitutional, then the grant of rulemaking
24 authority and any rule proposed or adopted after August 28, 2011, shall
25 be invalid and void.

67.132. 1. As used in this section, the term "business entity" shall
2 mean any person or group of persons seeking to perform or engage in
3 any activity, enterprise, profession, or occupation for gain, benefit,
4 advantage, or livelihood.

5 2. Political subdivisions shall award all business permits,
6 licenses, and any other certification required to commence conducting
7 business in that political subdivision to a business entity within sixty
8 days of receiving all documents, applications, fees, and other items
9 required to process such permit, license, or certification. If at the end
10 of such period the political subdivision determines that such
11 documents, applications, fees, or other required items are insufficient
12 to process or award such permit, license, or certification, the political
13 subdivision shall notify the business entity in writing with an
14 explanation of the deficiency within five days.

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