

SECOND REGULAR SESSION

SENATE BILL NO. 498

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Pre-filed December 1, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4076S.011

AN ACT

To repeal section 407.489, RSMo, and to enact in lieu thereof one new section relating to retail businesses operated by charitable organizations.

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

Section A. Section 407.489, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 407.489, to read as follows:

407.489. Notwithstanding any provision of section 89.020 to the contrary,
2 the legislative body of all cities, towns, and villages is hereby prohibited from
3 passing any zoning law, ordinance, or code that would prevent any entity
4 organized pursuant to Section 501(c)(3) or **Section 501(c)(19)** of the Internal
5 Revenue Code that owns or operates a retail business engaged in the practice of
6 reselling donated goods from operating a business establishment within any area
7 where any other business engaged in retail sales is permitted to operate; provided
8 that [at least eighty percent of all revenue] **the net proceeds** generated by such
9 entity [is used] **are applied on a reasonable basis** to fund the charitable
10 purpose of the organization.

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