

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/Senate Bill No. 330, Page 1, Section Title, Line 4,

of the title, by striking all of said line; and

Further amend said bill, Page 10, Section 8.962, Line 12, by inserting after all of said line the following:

"33.542. Nothing in this chapter or any other section of law shall be construed to provide authority for the extension of existing bonds or any additional bonding authority to the executive branch without legislative or voter approval.

67.657. 1. Nothing contained in sections 67.650 to 67.658 shall impair the powers of any county, municipality or other political subdivision to acquire, own, operate, develop or improve any facility of the type the authority is given the right and power to own, operate, develop or improve.

2. Any county, municipality or other political subdivision or public agency is authorized to make gifts, donations, grants and contributions of money or real or personal property to the authority, whether such money or property is derived from tax revenues or from any other source.

3. The state of Missouri or any agency, department or instrumentality thereof and the county, the city, or any political subdivision, public agency or public body, or any

1 combination thereof pursuant to sections 70.210 to 70.325, or  
2 otherwise, are authorized to enter into contracts, agreements,  
3 leases and subleases with each other, the authority and others to  
4 acquire, sell, convey, lease, sublease, own, operate, finance,  
5 develop or improve, or any combination thereof, any facility of  
6 the type the authority is given the right to construct, own,  
7 operate, develop or improve, including without limitation to  
8 agree to pay rents or other fees or charges, subject to annual  
9 appropriations, and to mortgage, pledge, assign, convey, or grant  
10 security in any interest which any such entity may have in such  
11 facility.

12 4. In addition to any other tax imposed by law, and  
13 notwithstanding the provisions of subdivision (2) of subsection 5  
14 of section 67.619, to the contrary, the governing body of the  
15 county may submit to the voters of the county a tax not to exceed  
16 three and one-half percent on the amount of sales or charges for  
17 all sleeping rooms paid by the transient guests of hotels and  
18 motels situated within the county involved, and doing business  
19 within such county for the purpose of funding a regional  
20 convention and sports complex authority and for other  
21 recreational and entertainment purposes. If the governing body  
22 so orders, the election officials of the county shall submit a  
23 proposition to the voters of such county at the next statewide or  
24 countywide election or at a special election called for that  
25 purpose, such special election to be held at the expense of the  
26 regional convention and sports complex authority. Such  
27 proposition shall be submitted to the voters in substantially the  
28 following form at such election:

29 Shall a sales tax of ..... percent on the amount of

1 sales or charges for all rooms paid by the transient guests of  
2 hotels and motels be levied in the county of ..... to  
3 provide certain funds for the regional convention and sports  
4 complex authority and for general revenue purposes?

5  YES  NO

6  
7 In the event that a majority of the voters voting on such  
8 proposition in such county at such election approve such  
9 proposition, then such sales tax shall be in full force and  
10 effect as of the first day of the calendar quarter following the  
11 calendar quarter in which the election was held.

12 5. On and after the effective day of any tax authorized  
13 under the provisions of subsection 4 of this section, the  
14 governing body of the county may adopt one of the two following  
15 provisions for the collection and administration of the tax:

16 (1) The collector of revenue in such county may collect the  
17 tax pursuant to rules and regulations promulgated by the  
18 governing body of the county. The tax to be collected by the  
19 collector of revenue, less an amount not less than one percent  
20 and not more than three percent which may be retained for costs  
21 of collection, shall be remitted to the county and deposited in a  
22 special trust fund to be known as the "County Convention and  
23 Recreation Trust Fund" not later than thirty days following the  
24 end of each month;

25 (2) The governing body of the county may enter into an  
26 agreement with the director of revenue of the state of Missouri  
27 for the purpose of collecting the tax authorized in subsection 4  
28 of this section. In the event the governing body enters into an  
29 agreement with the director of revenue of the state of Missouri

1 for the collection of the tax authorized in subsection 4 of this  
2 section, the director of revenue shall perform all functions  
3 incident to the administration, collection, enforcement, and  
4 operation of such tax, and the director of revenue shall collect  
5 such additional tax. The tax shall be collected and reported  
6 upon such forms and under such administrative rules and  
7 regulations as may be prescribed by the director of revenue, and  
8 the director of revenue shall retain not less than one percent  
9 nor more than three percent for cost of collection and shall  
10 transfer all other moneys collected for such tax to the county  
11 for deposit in the county convention and recreation trust fund.

12 6. All funds deposited in the county convention and  
13 recreation trust fund shall, subject to annual appropriation, be  
14 disbursed by the county only for deposit in the regional  
15 convention and sports complex fund to pay the county's share of  
16 any rent, fees or charges payable pursuant to any contract,  
17 agreement, lease or sublease provided for in subsection 3 of this  
18 section; provided that in the event the county chooses to  
19 participate in a qualifying project and enters into any such  
20 contract, agreement, lease or sublease, then any funds in excess  
21 of its obligations hereunder which are deposited in the county  
22 convention and recreation trust fund in any year pursuant to  
23 subsection 4 of this section may be appropriated and disbursed by  
24 the county for general revenue purposes.

25 7. Notwithstanding any provision of subsection 6 of this  
26 section to the contrary, funds deposited in the county convention  
27 and recreation trust fund pursuant to subsection 5 of this  
28 section in excess of amounts payable as the county's share of any  
29 rent, fees or charges payable pursuant to any contract,

1 agreement, lease or sublease provided for in subsection 3 of this  
2 section, including reasonable reserves for future payments of  
3 such amounts, shall not be appropriated or paid except for  
4 funding of the regional convention and sports complex authority  
5 or for regional convention and tourism purposes to the regional  
6 convention and visitors commission established by section 67.601  
7 if it is providing management and operations services for a  
8 facility of the regional convention and sports complex authority  
9 of which the state of Missouri, the city, and St. Louis County  
10 are lessees pursuant to a contract, agreement or sublease with  
11 such lessees.

12 8. In addition to any other tax imposed by law, and  
13 notwithstanding the provisions of subdivision (1) of subsection 5  
14 of section 67.619 to the contrary, the governing body of the city  
15 may repeal a present two-dollar license fee per occupied room  
16 levied in such city on hotels and motels and submit to the voters  
17 of the city a tax not to exceed three and one-half percent on the  
18 amount of sales or charges for all sleeping rooms paid by the  
19 transient guests of hotels and motels situated within the city  
20 involved, and doing business within such city for the purposes of  
21 funding debt service, lease payments or other expenses of an  
22 existing convention center, including any southern expansion  
23 thereof, of such city, a regional convention and sports complex  
24 authority or a regional convention and visitors commission or any  
25 combination thereof as herein provided. If the governing body so  
26 orders, the election officials of the city shall submit a  
27 proposition to the voters of such city at the next statewide or  
28 citywide election or at a special election called for that  
29 purpose, such special election to be held at the expense of the

1 city. Such proposition shall be submitted to the voters in  
2 substantially the following form at such election:

3 Shall the present two-dollar license fee per occupied room  
4 levied in the city of ..... on hotels and motels be  
5 repealed and a sales tax of ..... percent on the amount of  
6 sales or charges for all rooms paid by the transient guests of  
7 hotels and motels be levied in the city of ..... to  
8 provide funds for convention, tourism and sports facilities  
9 purposes and agencies?

10  YES  NO

11  
12 In the event that a majority of the voters voting on such  
13 proposition in such city at such election approve such  
14 proposition, then such two-dollar license fee per occupied room  
15 shall be repealed and such sales tax shall be in full force and  
16 effect as of the first day of the calendar quarter following the  
17 calendar quarter in which the election was held.

18 9. On and after the effective date of any tax authorized  
19 under the provisions of subsection 8 of this section, the  
20 governing body of the city may adopt one of the two following  
21 provisions for the collection and administration of the tax:

22 (1) The collector of revenue in such city may collect the  
23 tax pursuant to rules and regulations promulgated by the  
24 governing body of the city. The tax to be collected by the  
25 collector of revenue, less an amount not less than one percent  
26 and not more than three percent which may be retained for costs  
27 of collection, shall be remitted to the city and deposited in a  
28 special trust fund to be known as the "City Convention and Sports  
29 Facility Trust Fund" not later than thirty days following the end

1 of each month;

2 (2) The governing body of the city may enter into an  
3 agreement with the director of revenue of the state of Missouri  
4 for the purpose of collecting the tax authorized in subsection 8  
5 of this section. In the event the governing body enters into an  
6 agreement with the director of revenue of the state of Missouri  
7 for the collection of the tax authorized in subsection 8 of this  
8 section, the director of revenue shall perform all functions  
9 incident to the administration, collection, enforcement and  
10 operation of such tax, and the director of revenue shall collect  
11 such additional tax. The tax shall be collected and reported  
12 upon such forms and under such administrative rules and  
13 regulations as may be prescribed by the director of revenue, and  
14 the director of revenue shall retain not less than one percent  
15 nor more than three percent for cost of collection and shall  
16 transfer all other moneys collected for such tax to the city for  
17 deposit in the convention and sports facility trust fund.

18 10. All funds deposited in the city convention and sports  
19 facility trust fund shall, subject to annual appropriation, be  
20 disbursed by the city only for first, debt service, lease  
21 payments or other expenses related to an existing convention  
22 center, including any southern expansion thereof, of such city,  
23 second, to pay the city's share of any rent, fees or charges  
24 payable pursuant to any lease provided for in subsection 3 of  
25 this section and third, the remainder, if any, annually to the  
26 regional convention and visitors commission established by  
27 section 67.601 if it is providing management and operations  
28 services for a facility of the regional convention and sports  
29 complex authority of which the state of Missouri, the city, and

1 St. Louis County are lessees pursuant to a contract, agreement or  
2 sublease with such lessees.

3 11. Nothing in this section shall be construed to provide  
4 authority for the extension of existing bonds or any additional  
5 bonding authority to the executive branch without legislative or  
6 voter approval.

7 Section B. Because immediate action is necessary to ensure  
8 fiscal stability for the state, the enactment of section 33.542  
9 and the repeal and reenactment of section 67.657 of this act is  
10 deemed necessary for the immediate preservation of the public  
11 health, welfare, peace and safety, and is hereby declared to be  
12 an emergency act within the meaning of the constitution, and the  
13 enactment of section 33.542 and the repeal and reenactment of  
14 section 67.657 of this act shall be in full force and effect upon  
15 its passage and approval."; and

16 Further amend the title and enacting clause accordingly.