

SECOND REGULAR SESSION

SENATE BILL NO. 580

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAAF.

Pre-filed December 1, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4940S.011

AN ACT

To repeal section 67.657, RSMo, and to enact in lieu thereof one new section relating to bonds issued by the Regional Convention and Sports Complex Authority, with an emergency clause.

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

Section A. Section 67.657, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.657, to read as follows:

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

4. In addition to any other tax imposed by law, and notwithstanding the provisions of subdivision (2) of subsection 5 of section 67.619, to the contrary, the governing body of the county may submit to the voters of the county a tax not to

22 exceed three and one-half percent on the amount of sales or charges for all sleeping
23 rooms paid by the transient guests of hotels and motels situated within the county
24 involved, and doing business within such county for the purpose of funding a regional
25 convention and sports complex authority and for other recreational and entertainment
26 purposes. If the governing body so orders, the election officials of the county shall
27 submit a proposition to the voters of such county at the next statewide or countywide
28 election or at a special election called for that purpose, such special election to be held
29 at the expense of the regional convention and sports complex authority. Such
30 proposition shall be submitted to the voters in substantially the following form at such
31 election:

32 Shall a sales tax of percent on the amount of sales or charges for all
33 rooms paid by the transient guests of hotels and motels be levied in the county of
34 to provide certain funds for the regional convention and sports complex
35 authority and for general revenue purposes?

36 YES NO

37 In the event that a majority of the voters voting on such proposition in such
38 county at such election approve such proposition, then such sales tax shall be in
39 full force and effect as of the first day of the calendar quarter following the
40 calendar quarter in which the election was held.

41 5. On and after the effective day of any tax authorized under the
42 provisions of subsection 4 of this section, the governing body of the county may
43 adopt one of the two following provisions for the collection and administration of
44 the tax:

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

52 (2) The governing body of the county may enter into an agreement with
53 the director of revenue of the state of Missouri for the purpose of collecting the
54 tax authorized in subsection 4 of this section. In the event the governing body
55 enters into an agreement with the director of revenue of the state of Missouri for
56 the collection of the tax authorized in subsection 4 of this section, the director of
57 revenue shall perform all functions incident to the administration, collection,
58 enforcement, and operation of such tax, and the director of revenue shall collect

59 such additional tax. The tax shall be collected and reported upon such forms and
60 under such administrative rules and regulations as may be prescribed by the
61 director of revenue, and the director of revenue shall retain not less than one
62 percent nor more than three percent for cost of collection and shall transfer all
63 other moneys collected for such tax to the county for deposit in the county
64 convention and recreation trust fund.

65 6. All funds deposited in the county convention and recreation trust fund
66 shall, subject to annual appropriation, be disbursed by the county only for deposit
67 in the regional convention and sports complex fund to pay the county's share of
68 any rent, fees or charges payable pursuant to any contract, agreement, lease or
69 sublease provided for in subsection 3 of this section; provided that in the event
70 the county chooses to participate in a qualifying project and enters into any such
71 contract, agreement, lease or sublease, then any funds in excess of its obligations
72 hereunder which are deposited in the county convention and recreation trust fund
73 in any year pursuant to subsection 4 of this section may be appropriated and
74 disbursed by the county for general revenue purposes.

75 7. Notwithstanding any provision of subsection 6 of this section to the
76 contrary, funds deposited in the county convention and recreation trust fund
77 pursuant to subsection 5 of this section in excess of amounts payable as the
78 county's share of any rent, fees or charges payable pursuant to any contract,
79 agreement, lease or sublease provided for in subsection 3 of this section, including
80 reasonable reserves for future payments of such amounts, shall not be
81 appropriated or paid except for funding of the regional convention and sports
82 complex authority or for regional convention and tourism purposes to the regional
83 convention and visitors commission established by section 67.601 if it is providing
84 management and operations services for a facility of the regional convention and
85 sports complex authority of which the state of Missouri, the city, and St. Louis
86 County are lessees pursuant to a contract, agreement or sublease with such
87 lessees.

88 8. In addition to any other tax imposed by law, and notwithstanding the
89 provisions of subdivision (1) of subsection 5 of section 67.619 to the contrary, the
90 governing body of the city may repeal a present two-dollar license fee per
91 occupied room levied in such city on hotels and motels and submit to the voters
92 of the city a tax not to exceed three and one-half percent on the amount of sales
93 or charges for all sleeping rooms paid by the transient guests of hotels and motels
94 situated within the city involved, and doing business within such city for the

95 purposes of funding debt service, lease payments or other expenses of an existing
96 convention center, including any southern expansion thereof, of such city, a
97 regional convention and sports complex authority or a regional convention and
98 visitors commission or any combination thereof as herein provided. If the
99 governing body so orders, the election officials of the city shall submit a
100 proposition to the voters of such city at the next statewide or citywide election or
101 at a special election called for that purpose, such special election to be held at the
102 expense of the city. Such proposition shall be submitted to the voters in
103 substantially the following form at such election:

104 Shall the present two-dollar license fee per occupied room levied in the city
105 of on hotels and motels be repealed and a sales tax of percent
106 on the amount of sales or charges for all rooms paid by the transient guests of
107 hotels and motels be levied in the city of to provide funds for
108 convention, tourism and sports facilities purposes and agencies?

109 YES NO

110 In the event that a majority of the voters voting on such proposition in such city
111 at such election approve such proposition, then such two-dollar license fee per
112 occupied room shall be repealed and such sales tax shall be in full force and effect
113 as of the first day of the calendar quarter following the calendar quarter in which
114 the election was held.

115 9. On and after the effective date of any tax authorized under the
116 provisions of subsection 8 of this section, the governing body of the city may adopt
117 one of the two following provisions for the collection and administration of the
118 tax:

119 (1) The collector of revenue in such city may collect the tax pursuant to
120 rules and regulations promulgated by the governing body of the city. The tax to
121 be collected by the collector of revenue, less an amount not less than one percent
122 and not more than three percent which may be retained for costs of collection,
123 shall be remitted to the city and deposited in a special trust fund to be known as
124 the "City Convention and Sports Facility Trust Fund" not later than thirty days
125 following the end of each month;

126 (2) The governing body of the city may enter into an agreement with the
127 director of revenue of the state of Missouri for the purpose of collecting the tax
128 authorized in subsection 8 of this section. In the event the governing body enters
129 into an agreement with the director of revenue of the state of Missouri for the
130 collection of the tax authorized in subsection 8 of this section, the director of

131 revenue shall perform all functions incident to the administration, collection,
132 enforcement and operation of such tax, and the director of revenue shall collect
133 such additional tax. The tax shall be collected and reported upon such forms and
134 under such administrative rules and regulations as may be prescribed by the
135 director of revenue, and the director of revenue shall retain not less than one
136 percent nor more than three percent for cost of collection and shall transfer all
137 other moneys collected for such tax to the city for deposit in the convention and
138 sports facility trust fund.

139 10. All funds deposited in the city convention and sports facility trust
140 fund shall, subject to annual appropriation, be disbursed by the city only for first,
141 debt service, lease payments or other expenses related to an existing convention
142 center, including any southern expansion thereof, of such city, second, to pay the
143 city's share of any rent, fees or charges payable pursuant to any lease provided
144 for in subsection 3 of this section and third, the remainder, if any, annually to the
145 regional convention and visitors commission established by section 67.601 if it is
146 providing management and operations services for a facility of the regional
147 convention and sports complex authority of which the state of Missouri, the city,
148 and St. Louis County are lessees pursuant to a contract, agreement or sublease
149 with such lessees.

150 **11. Nothing in this section shall be construed to provide**
151 **authority for the extension of existing bonds or any additional bonding**
152 **authority to the executive branch without legislative or voter**
153 **approval. The state shall not enter into any agreement with the**
154 **authority obligating the state to pay back any portion of any newly**
155 **issued bonds without approval of the general assembly by concurrent**
156 **resolution or voter approval.**

Section B. Because immediate action is necessary to ensure fiscal stability
2 for the state, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace and safety, and is hereby
4 declared to be an emergency act within the meaning of the constitution, and
5 section A of this act shall be in full force and effect upon its passage and
6 approval.

✓