

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 282
99TH GENERAL ASSEMBLY

1265H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 92.020, 94.900, 94.902, 210.1014, 287.243, 321.242, and 321.246, RSMo, and to enact in lieu thereof fifteen new sections relating to public safety.

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

Section A. Sections 92.020, 94.900, 94.902, 210.1014, 287.243, 321.242, 321.246,
2 RSMo, are repealed and fifteen new sections enacted in lieu thereof, to be known as sections
3 92.020, 92.024, 92.025, 92.026, 94.900, 94.902, 94.903, 210.1014, 210.1016, 287.243, 320.087,
4 321.242, 321.246, 513.655, and 590.510, to read as follows:

92.020. Any such municipality is hereby authorized by ordinance to levy a rate of
2 taxation on all property subject to its taxing power for library, hospital, public health, recreation
3 grounds and museum purposes, and the rate of taxation levied for such purposes shall be in
4 addition to the maximum rate of taxation levied for general municipal purposes, as limited by
5 the constitution or laws of this state. No tax levied for the special purposes enumerated in this
6 section shall exceed the following annual rates:

7 (1) Library, in the manner and at the rate authorized under the provisions of sections
8 182.140 to 182.301;

9 (2) Hospital, ten cents on the hundred dollars assessed valuation;

10 (3) Public health, ~~two~~ **sixty** cents on the hundred dollars assessed valuation;

11 (4) Recreation grounds other than zoological park, two cents on the hundred dollars
12 assessed valuation;

13 (5) Zoological park, in the manner and at the rate authorized under the provisions of
14 sections 90.640 and 90.650;

15 (6) Art museum, in the manner and at the rate authorized by law.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

92.024. 1. The governing body of any city not within a county may, upon approval of a majority of the qualified voters of such city voting thereon, levy and collect a tax not to exceed sixty cents per one hundred dollars of assessed valuation upon all taxable property within the city for the purpose of providing public safety services. The tax so levied shall be collected along with other city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund for the provision of public safety services, and shall be used for no other purpose except those purposes authorized in sections 92.024 to 92.026. Deposits in the fund shall be expended only upon approval of the board of directors established in section 92.025 and only in accordance with the fund budget approved by the city governing body.

2. The question of whether the tax authorized by this section shall be imposed shall be submitted in substantially the following form:

OFFICIAL BALLOT

Shall (name of city) levy a tax of cents per each one hundred dollars assessed valuation for the purpose of providing public safety services?

YES NO

92.025. 1. Upon the approval of the tax authorized under section 92.024 by the voters of the city not within a county, the tax so approved shall be imposed upon all taxable property within the city and the proceeds therefrom shall be deposited in a special fund, to be known as the "Public Safety Services Fund", which is hereby established within the city treasury. No moneys in the public safety services fund shall be spent until the board of directors provided for in subsection 2 of this section has been appointed and has taken office.

2. Upon approval of the tax authorized under section 92.024 by the voters of the city, the mayor of the city shall appoint a board of directors consisting of seven directors, who shall be selected from the city at large and shall, as nearly as practicable, represent the various groups to be served by the board. Each director shall be a resident of the city. Each director shall be appointed to serve for a term of four years and until his successor is duly appointed and qualified; except that, of the directors first appointed, one director shall be appointed for a term of one year, two directors shall be appointed for a term of two years, two directors shall be appointed for a term of three years, and two directors shall be appointed for a term of four years. Directors may be reappointed. All vacancies on the board of directors shall be filled for the remainder of the unexpired term by the mayor of the city. The directors shall not receive any compensation for their services, but may be reimbursed for all actual and necessary

20 expenses incurred in the performance of their official duties from the moneys in the
21 public safety services fund.

22 3. The administrative control and management of the funds in the public safety
23 services fund and all programs to be funded therefrom shall rest solely with the board
24 of directors appointed under subsection 2 of this section; except that, the budget for the
25 public safety services fund shall be approved by the governing body of the city prior to
26 the making of any payments from the fund in any fiscal year. The board of directors
27 shall use the funds in the public safety services fund to provide programs or to pay for
28 existing programs which will improve public safety. The budget may allocate funds for
29 public safety services, including the compensation of public safety personnel who serve
30 in the city in which such property taxes are collected. No funds in the public safety
31 services fund may be used, directly or indirectly, for any political purpose. In
32 providing such services, the board of directors may contract with any person to provide
33 services relating, in whole or in part, to the services which the board itself may provide
34 under this section, and for such purpose may expend the tax proceeds derived from the
35 tax authorized by section 92.024.

36 4. The board of directors shall elect a chairman, vice chairman, and such other
37 officers as it deems necessary; shall establish eligibility requirements for the programs
38 it furnishes; and shall do all other things necessary to carry out the purposes of sections
39 92.024 to 92.026. A majority of the board of directors shall constitute a quorum.

40 5. The board of directors, with the approval of the governing body of the city,
41 may accept any gift of property or money for the use and benefit of the persons to be
42 served through the programs established and funded under sections 92.024 to 92.026,
43 and may sell or exchange any such property so long as such sale or exchange is in the
44 best interests of the programs provided under sections 92.024 to 92.026 and the
45 proceeds from such sale or exchange are used exclusively to fund such programs.

 92.026. 1. If the tax, special fund, and board of directors authorized by sections
2 92.024 to 92.026 are repealed or abolished, all funds remaining in the special fund shall
3 be transferred to the general revenue fund of the city not within a county.

4 2. If the governing body of the city shall determine that an audit is necessary or
5 desirable, the accounts of the board of directors shall be audited by a certified public
6 accountant selected by the governing body of the city. An audit performed under this
7 subsection shall also review the records of the receipts and disbursements and the
8 property inventory of every officer or office of the board of directors which receives or
9 disburses money on behalf of the board or which holds property belonging to the
10 board. Upon the completion of the investigation, the certified public accountant shall

11 **render a report to the governing body of the city, along with a statement showing,**
12 **under appropriate classifications, the receipts and disbursements of the board of**
13 **directors during the period of the audit. The expense of an audit performed under this**
14 **subsection shall be paid by the board of directors from funds in the public safety**
15 **services fund.**

94.900. 1. (1) The governing body of the following cities may impose a tax as
2 provided in this section:

3 (a) Any city of the third classification with more than ten thousand eight hundred but
4 less than ten thousand nine hundred inhabitants located at least partly within a county of the
5 first classification with more than one hundred eighty-four thousand but less than one
6 hundred eighty-eight thousand inhabitants;

7 (b) **Any city of the fourth classification with more than four thousand five**
8 **hundred but fewer than five thousand inhabitants;**

9 (c) Any city of the fourth classification with more than eight thousand nine hundred
10 but fewer than nine thousand inhabitants;

11 ~~[(c) Any city of the fourth classification with more than two thousand six hundred but~~
12 ~~fewer than two thousand seven hundred inhabitants and located in any county of the first~~
13 ~~classification with more than eighty-two thousand but fewer than eighty-two thousand one~~
14 ~~hundred inhabitants;]~~

15 (d) Any home rule city with more than forty-eight thousand but fewer than forty-nine
16 thousand inhabitants;

17 (e) Any home rule city with more than seventy-three thousand but fewer than
18 seventy-five thousand inhabitants;

19 (f) **Any city of the fourth classification with more than thirteen thousand five**
20 **hundred but fewer than sixteen thousand inhabitants;**

21 (g) **Any city of the fourth classification with more than seven thousand but**
22 **fewer than eight thousand inhabitants; or**

23 (h) **Any city of the third classification with more than five thousand but fewer**
24 **than six thousand inhabitants and located in any county of the third classification**
25 **without a township form of government and with more than fourteen thousand but**
26 **fewer than sixteen thousand inhabitants.**

27 (2) The governing body of any city listed in subdivision (1) of this subsection is
28 hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-
29 half of one percent on all retail sales made in such city which are subject to taxation under the
30 provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for
31 such city, including but not limited to expenditures on equipment, city employee salaries and

32 benefits, and facilities for police, fire and emergency medical providers. The tax authorized
33 by this section shall be in addition to any and all other sales taxes allowed by law, except that
34 no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be
35 effective unless the governing body of the city submits to the voters of the city, at a county or
36 state general, primary or special election, a proposal to authorize the governing body of the
37 city to impose a tax.

38 **2. (1) Except as otherwise provided in subdivision (2) of this subsection,** if the
39 proposal submitted involves only authorization to impose the tax authorized by this section,
40 the ballot of submission shall contain, but need not be limited to, the following language:

41 Shall the city of (city's name) impose a citywide sales tax
42 of (insert amount) for the purpose of improving the public safety of the city?

43 YES NO

44

45 If you are in favor of the question, place an "X" in the box opposite "YES". If you are
46 opposed to the question, place an "X" in the box opposite "NO".

47

48 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in
49 favor of the proposal submitted pursuant to this subsection, then the ordinance or order and
50 any amendments thereto shall be in effect on the first day of the second calendar quarter after
51 the director of revenue receives notification of adoption of the local sales tax. If a proposal
52 receives less than the required majority, then the governing body of the city shall have no
53 power to impose the sales tax herein authorized unless and until the governing body of the
54 city shall again have submitted another proposal to authorize the governing body of the city
55 to impose the sales tax authorized by this section and such proposal is approved by the
56 required majority of the qualified voters voting thereon. However, in no event shall a
57 proposal pursuant to this section be submitted to the voters sooner than twelve months from
58 the date of the last proposal pursuant to this section.

59 **(2) For any city described in paragraph (b) of subdivision (1) of subsection 1 of**
60 **this section, if the proposal submitted involves only authorization to impose the tax**
61 **authorized by this section, the ballot of submission shall contain, but need not be**
62 **limited to, the following language:**

63 Shall the city of (city's name) impose a citywide sales
64 tax of (insert amount) for a period of ten years from the date on which the tax
65 is first imposed for the purpose of improving the public safety of the city?

66 YES NO

67

68 **If you are in favor of the question, place an "X" in the box opposite "YES". If you are**
69 **opposed to the question, place an "X" in the box opposite "NO".**

70

71 **If a majority of the votes cast on the proposal by the qualified voters voting thereon are**
72 **in favor of the proposal submitted pursuant to this subdivision, then the ordinance or**
73 **order and any amendments thereto shall be in effect on the first day of the second**
74 **calendar quarter after the director of revenue receives notification of adoption of the**
75 **local sales tax. If a proposal receives less than the required majority, then the**
76 **governing body of the city shall have no power to impose the sales tax herein authorized**
77 **and the authorization is repealed.**

78 3. All revenue received by a city from the tax authorized under the provisions of this
79 section shall be deposited in a special trust fund and shall be used solely for improving the
80 public safety for such city for so long as the tax shall remain in effect.

81 4. Once the tax authorized by this section is abolished or is terminated by any means,
82 all funds remaining in the special trust fund shall be used solely for improving the public
83 safety for the city. Any funds in such special trust fund which are not needed for current
84 expenditures may be invested by the governing body in accordance with applicable laws
85 relating to the investment of other city funds.

86 5. All sales taxes collected by the director of the department of revenue under this
87 section on behalf of any city, less one percent for cost of collection which shall be deposited
88 in the state's general revenue fund after payment of premiums for surety bonds as provided in
89 section 32.087, shall be deposited in a special trust fund, which is hereby created, to be
90 known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall
91 not be deemed to be state funds and shall not be commingled with any funds of the state. The
92 provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be
93 transferred and placed to the credit of the general revenue fund. The director of the
94 department of revenue shall keep accurate records of the amount of money in the trust and
95 which was collected in each city imposing a sales tax pursuant to this section, and the records
96 shall be open to the inspection of officers of the city and the public. Not later than the tenth
97 day of each month the director of the department of revenue shall distribute all moneys
98 deposited in the trust fund during the preceding month to the city which levied the tax; such
99 funds shall be deposited with the city treasurer of each such city, and all expenditures of
100 funds arising from the trust fund shall be by an appropriation act to be enacted by the
101 governing body of each such city. Expenditures may be made from the fund for any
102 functions authorized in the ordinance or order adopted by the governing body submitting the
103 tax to the voters.

104 6. The director of the department of revenue may make refunds from the amounts in
105 the trust fund and credited to any city for erroneous payments and overpayments made, and
106 may redeem dishonored checks and drafts deposited to the credit of such cities. If any city
107 abolishes the tax, the city shall notify the director of the department of revenue of the action
108 at least ninety days prior to the effective date of the repeal and the director of the department
109 of revenue may order retention in the trust fund, for a period of one year, of two percent of
110 the amount collected after receipt of such notice to cover possible refunds or overpayment of
111 the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts.
112 After one year has elapsed after the effective date of abolition of the tax in such city, the
113 director of the department of revenue shall remit the balance in the account to the city and
114 close the account of that city. The director of the department of revenue shall notify each city
115 of each instance of any amount refunded or any check redeemed from receipts due the city.

116 7. Except as modified in this section, all provisions of sections 32.085 and 32.087
117 shall apply to the tax imposed pursuant to this section.

 94.902. 1. The governing bodies of the following cities may impose a tax as
2 provided in this section:

3 (1) Any city of the third classification with more than twenty-six thousand three
4 hundred but less than twenty-six thousand seven hundred inhabitants;

5 (2) Any city of the fourth classification with more than thirty thousand three hundred
6 but fewer than thirty thousand seven hundred inhabitants;

7 (3) Any city of the fourth classification with more than twenty-four thousand eight
8 hundred but fewer than twenty-five thousand inhabitants;

9 (4) Any special charter city with more than twenty-nine thousand but fewer than
10 thirty-two thousand inhabitants; [ø]

11 (5) Any city of the third classification with more than four thousand but fewer than
12 four thousand five hundred inhabitants and located in any county of the first classification
13 with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants;

14 **or**

15 **(6) Any city of the fourth classification with more than nine thousand five**
16 **hundred but fewer than ten thousand eight hundred inhabitants.**

17 2. The governing body of any city listed in subsection 1 of this section may impose,
18 by order or ordinance, a sales tax on all retail sales made in the city which are subject to
19 taxation under chapter 144. The tax authorized in this section may be imposed in an amount
20 of up to one-half of one percent, and shall be imposed solely for the purpose of improving the
21 public safety for such city, including but not limited to expenditures on equipment, city
22 employee salaries and benefits, and facilities for police, fire and emergency medical

23 providers. The tax authorized in this section shall be in addition to all other sales taxes
24 imposed by law, and shall be stated separately from all other charges and taxes. The order or
25 ordinance imposing a sales tax under this section shall not become effective unless the
26 governing body of the city submits to the voters residing within the city, at a county or state
27 general, primary, or special election, a proposal to authorize the governing body of the city to
28 impose a tax under this section.

29 **3. (1) Except as otherwise provided in subdivision (2) of this subsection, the**
30 **ballot of submission for the tax authorized in this section shall be in substantially the**
31 **following form:**

32 Shall the city of (city's name) impose a citywide sales tax
33 at a rate of (insert rate of percent) percent for the purpose of improving the public
34 safety of the city?

35 YES NO

36

37 If you are in favor of the question, place an "X" in the box opposite "YES". If you are
38 opposed to the question, place an "X" in the box opposite "NO".

39

40 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in
41 favor of the proposal, then the ordinance or order and any amendments to the order or
42 ordinance shall become effective on the first day of the second calendar quarter after the
43 director of revenue receives notice of the adoption of the sales tax. If a majority of the votes
44 cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then
45 the tax shall not become effective unless the proposal is resubmitted under this section to the
46 qualified voters and such proposal is approved by a majority of the qualified voters voting on
47 the proposal. However, in no event shall a proposal under this section be submitted to the
48 voters sooner than twelve months from the date of the last proposal under this section.

49 **(2) For any city described under subdivision (6) of subsection 1 of this section,**
50 **the ballot of submission for the tax authorized in this section shall be in substantially**
51 **the following form:**

52 **Shall the city of (city's name) impose a citywide sales**
53 **tax at a rate of (insert rate of percent) percent until December 31, 2038, for the**
54 **purpose of improving the public safety of the city?**

55 YES NO

56

57 **If you are in favor of the question, place an "X" in the box opposite "YES". If you are**
58 **opposed to the question, place an "X" in the box opposite "NO".**

59 **If a majority of the votes cast on the proposal by the qualified voters voting thereon are**
60 **in favor of the proposal, then the ordinance or order and any amendments to the order**
61 **or ordinance shall become effective on the first day of the second calendar quarter after**
62 **the director of revenue receives notice of the adoption of the sales tax. If a majority of**
63 **the votes cast on the proposal by the qualified voters voting thereon are opposed to the**
64 **proposal, then the tax shall not become effective unless the proposal is resubmitted**
65 **under this section to the qualified voters and such proposal is approved by a majority of**
66 **the qualified voters voting on the proposal. However, in no event shall a proposal**
67 **under this section be submitted to the voters sooner than twelve months from the date**
68 **of the last proposal under this section.**

69 4. Any sales tax imposed under this section shall be administered, collected,
70 enforced, and operated as required in section 32.087. All sales taxes collected by the director
71 of the department of revenue under this section on behalf of any city, less one percent for cost
72 of collection which shall be deposited in the state's general revenue fund after payment of
73 premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust
74 fund, which is hereby created in the state treasury, to be known as the "City Public Safety
75 Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds
76 and shall not be commingled with any funds of the state. The provisions of section 33.080 to
77 the contrary notwithstanding, money in this fund shall not be transferred and placed to the
78 credit of the general revenue fund. The director shall keep accurate records of the amount of
79 money in the trust fund and which was collected in each city imposing a sales tax under this
80 section, and the records shall be open to the inspection of officers of the city and the public.
81 Not later than the tenth day of each month the director shall distribute all moneys deposited
82 in the trust fund during the preceding month to the city which levied the tax. Such funds
83 shall be deposited with the city treasurer of each such city, and all expenditures of funds
84 arising from the trust fund shall be by an appropriation act to be enacted by the governing
85 body of each such city. Expenditures may be made from the fund for any functions
86 authorized in the ordinance or order adopted by the governing body submitting the tax to the
87 voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be
88 used solely for the designated purposes. Any funds in the special trust fund which are not
89 needed for current expenditures shall be invested in the same manner as other funds are
90 invested. Any interest and moneys earned on such investments shall be credited to the fund.

91 5. The director of the department of revenue may authorize the state treasurer to
92 make refunds from the amounts in the trust fund and credited to any city for erroneous
93 payments and overpayments made, and may redeem dishonored checks and drafts deposited
94 to the credit of such cities. If any city abolishes the tax, the city shall notify the director of

95 the action at least ninety days before the effective date of the repeal, and the director may
 96 order retention in the trust fund, for a period of one year, of two percent of the amount
 97 collected after receipt of such notice to cover possible refunds or overpayment of the tax and
 98 to redeem dishonored checks and drafts deposited to the credit of such accounts. After one
 99 year has elapsed after the effective date of abolition of the tax in such city, the director shall
 100 remit the balance in the account to the city and close the account of that city. The director
 101 shall notify each city of each instance of any amount refunded or any check redeemed from
 102 receipts due the city.

103 6. The governing body of any city that has adopted the sales tax authorized in this
 104 section may submit the question of repeal of the tax to the voters on any date available for
 105 elections for the city. The ballot of submission shall be in substantially the following form:

106 Shall (insert the name of the city) repeal the sales tax
 107 imposed at a rate of (insert rate of percent) percent for the purpose of improving the
 108 public safety of the city?

109 YES NO

110

111 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become
 112 effective on December thirty-first of the calendar year in which such repeal was approved. If
 113 a majority of the votes cast on the question by the qualified voters voting thereon are opposed
 114 to the repeal, then the sales tax authorized in this section shall remain effective until the
 115 question is resubmitted under this section to the qualified voters, and the repeal is approved
 116 by a majority of the qualified voters voting on the question.

117 7. Whenever the governing body of any city that has adopted the sales tax authorized
 118 in this section receives a petition, signed by ten percent of the registered voters of the city
 119 voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed
 120 under this section, the governing body shall submit to the voters of the city a proposal to
 121 repeal the tax. If a majority of the votes cast on the question by the qualified voters voting
 122 thereon are in favor of the repeal, that repeal shall become effective on December thirty-first
 123 of the calendar year in which such repeal was approved. If a majority of the votes cast on the
 124 question by the qualified voters voting thereon are opposed to the repeal, then the tax shall
 125 remain effective until the question is resubmitted under this section to the qualified voters
 126 and the repeal is approved by a majority of the qualified voters voting on the question.

127 8. **Any sales tax imposed under this section by a city described under**
 128 **subdivision (6) of subsection 1 of this section that is in effect as of December 31, 2038,**
 129 **shall automatically expire. No city described under subdivision (6) of subsection 1 of**
 130 **this section shall collect a sales tax pursuant to this section after January 1, 2039.**

131 **Subsection 7 of this section shall not apply to a sales tax imposed under this section by a**
132 **city described under subdivision (6) of subsection 1 of this section.**

133 **9.** Except as modified in this section, all provisions of sections 32.085 and 32.087
134 shall apply to the tax imposed under this section.

94.903. 1. The governing body of any city of the fourth classification with more
2 **than nine thousand five hundred but fewer than ten thousand eight hundred**
3 **inhabitants may impose, by order or ordinance, a sales tax on all retail sales made in**
4 **the city that are subject to taxation under chapter 144. The tax authorized under this**
5 **section may be imposed in an amount of up to one-half of one percent and shall be**
6 **imposed solely for the purpose of improving the public safety for such city including,**
7 **but not limited to, expenditures on equipment, city public safety employee salaries and**
8 **benefits, and facilities for police, fire, and emergency medical providers. The tax**
9 **authorized under this section shall be in addition to all other sales taxes imposed by law**
10 **and shall be stated separately from all other charges and taxes. The order or ordinance**
11 **imposing a sales tax under this section shall not become effective unless the governing**
12 **body of the city submits to the voters residing within the city, at a county or state**
13 **general, primary, or special election, a proposal to authorize the governing body of the**
14 **city to impose a tax under this section.**

15 **2. The ballot language for the tax authorized under this section shall be in**
16 **substantially the following form:**

17 **Shall the city of (insert name of city) impose a citywide sales tax at a rate**
18 **of (insert rate) percent for the purpose of improving the public safety of the city?**

19 **YES** **NO**

20

21 **If a majority of the votes cast on the proposal by the qualified voters voting thereon are**
22 **in favor of the proposal, then the order or ordinance and any amendments to the order**
23 **or ordinance shall become effective on the first day of the second calendar quarter after**
24 **the director of revenue receives notice of the adoption of the sales tax. If a majority of**
25 **the votes cast on the proposal by the qualified voters voting thereon are opposed to the**
26 **proposal, then the tax shall not become effective unless the proposal is resubmitted**
27 **under this section to the qualified voters and such proposal is approved by a majority of**
28 **the qualified voters voting on the proposal. However, in no event shall a proposal**
29 **under this section be resubmitted to the voters sooner than twelve months from the date**
30 **of the first proposal under this section. If the resubmitted proposal receives less than**
31 **the required majority, then the governing body of the city shall have no power to**
32 **impose the sales tax herein authorized and the authorization is repealed.**

33 **3. Any sales tax imposed under this section shall be administered, collected,**
34 **enforced, and operated as required under section 32.087. All sales taxes collected by**
35 **the director of revenue under this section on behalf of any city, less one percent for cost**
36 **of collection, which shall be deposited in the state's general revenue fund after payment**
37 **of premiums for surety bonds, as provided in section 32.087, shall be deposited in a**
38 **special trust fund, which is hereby created in the state treasury, to be known as the**
39 **"City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be**
40 **deemed to be state funds and shall not be commingled with any funds of the state. The**
41 **provisions of section 33.080 to the contrary notwithstanding, moneys in this fund shall**
42 **not be transferred and placed to the credit of the general revenue fund. The director**
43 **shall keep accurate records of the amount of moneys in the trust fund and the amount**
44 **that was collected in each city imposing a sales tax under this section, and the records**
45 **shall be open to the inspection of officers of the city and the public. No later than the**
46 **tenth day of each month, the director shall distribute all moneys deposited in the trust**
47 **fund during the preceding month to the city which levied the tax. Such funds shall be**
48 **deposited with the city treasurer of each such city, and all expenditures of funds arising**
49 **from the trust fund shall be by an appropriation act to be enacted by the governing**
50 **body of each such city. Expenditures may be made from the fund for any functions**
51 **authorized in the ordinance or order adopted by the governing body submitting the tax**
52 **to the voters. If the tax is repealed, all funds remaining in the special trust fund shall**
53 **continue to be used solely for the designated purposes. Any funds in the special trust**
54 **fund that are not needed for current expenditures shall be invested in the same manner**
55 **as other funds are invested. Any interest and moneys earned on such investments shall**
56 **be credited to the fund.**

57 **4. The director of revenue may make refunds from the amounts in the trust**
58 **fund and credited to any city for erroneous payments and overpayments made and may**
59 **redeem dishonored checks and drafts deposited to the credit of such cities. If any city**
60 **repeals the tax, the city shall notify the director of the action at least ninety days before**
61 **the effective date of the repeal, and the director may order retention in the trust fund,**
62 **for a period of one year, of two percent of the amount collected after receipt of such**
63 **notice to cover possible refunds or overpayment of the tax and to redeem dishonored**
64 **checks and drafts deposited to the credit of such accounts. After one year has elapsed**
65 **after the effective date of abolition of the tax in such city, the director shall remit the**
66 **balance in the account to the city and close the account of that city. The director shall**
67 **notify each city of each instance of any amount refunded or any check redeemed from**
68 **receipts due to the city.**

69 **5. The governing body of any city that has adopted the sales tax authorized**
70 **under this section may submit the question of repeal of the tax to the voters on any date**
71 **available for elections for the city. The ballot language shall be in substantially the**
72 **following form:**

73 **Shall the city of (insert name of city) repeal the sales tax imposed at a**
74 **rate of (insert rate) percent for the purpose of improving the public safety of the**
75 **city?**

76 **YES** **NO**

77

78 **If a majority of the votes cast on the question by the qualified voters voting thereon are**
79 **in favor of repeal, that repeal shall become effective on December thirty-first of the**
80 **calendar year in which such repeal was approved. If a majority of the votes cast on the**
81 **question by the qualified voters voting thereon are opposed to the repeal, then the sales**
82 **tax authorized under this section shall remain effective until the question is resubmitted**
83 **and approved under this section.**

84 **6. The governing body of any city that has adopted the sales tax authorized**
85 **under this section shall submit the question of the continuation of the tax to the voters**
86 **twenty-five years from the date of its inception and every twenty-five years thereafter**
87 **on a date available for elections for the city. The ballot language shall be in**
88 **substantially the following form:**

89 **Shall (insert name of city) continue collecting a sales tax imposed at a**
90 **rate of (insert rate) percent for the purpose of providing revenues for the**
91 **operation of public safety departments of the city?**

92 **YES** **NO**

93

94 **If a majority of the votes cast on the question by the qualified voters voting thereon are**
95 **opposed to continuation, the repeal shall become effective on December thirty-first of**
96 **the calendar year in which such continuation failed to be approved. If a majority of the**
97 **votes cast on the question by the qualified voters voting thereon are in favor of**
98 **continuation, then the sales tax authorized under this section shall remain effective until**
99 **the question is resubmitted under this section to the qualified voters and continuation**
100 **fails to be approved by a majority of the qualified voters voting on the question.**

101 **7. Except as modified under this section, all provisions of sections 32.085 and**
102 **32.087 shall apply to the tax imposed under this section.**

 210.1014. 1. There is hereby created the "Amber Alert System Oversight
2 Committee", whose primary duty shall be to develop criteria and procedures for the Amber

3 alert system and shall be housed within the department of public safety. The committee shall
4 regularly review the function of the Amber alert system and revise its criteria and procedures
5 in cooperation with the department of public safety to provide for efficient and effective
6 public notification **and meet at least annually to discuss potential improvements to the**
7 **Amber alert system.** As soon as practicable, the committee shall adopt criteria and
8 procedures to expand the Amber alert system to provide urgent public alerts related to
9 homeland security, criminal acts, health emergencies, and other imminent dangers to the
10 public health and welfare.

11 2. The Amber alert system oversight committee shall consist of ten members of
12 which seven members shall be appointed by the governor with the advice and consent of the
13 senate. Such members shall represent the following entities: two representatives of the
14 Missouri Sheriffs' Association; two representatives of the Missouri Police Chiefs
15 Association; one representative of small market radio broadcasters; one representative of
16 large market radio broadcasters; one representative of television broadcasters. The director
17 of the department of public safety shall also be a member of the committee and shall serve as
18 chair of the committee. Additional members shall include one representative of the highway
19 patrol and one representative of the department of health and senior services.

20 3. Members of the oversight committee shall serve a term of four years, except that
21 members first appointed to the committee shall have staggered terms of two, three, and four
22 years and shall serve until their successor is duly appointed and qualified.

23 4. Members of the oversight committee shall serve without compensation, except that
24 members shall be reimbursed for their actual and necessary expenses required for the
25 discharge of their duties.

26 5. The Amber alert system oversight committee shall promulgate rules for the
27 implementation of the Amber alert system. Any rule or portion of a rule, as that term is
28 defined in section 536.010, that is created under the authority delegated in this section shall
29 become effective only if it complies with and is subject to all of the provisions of chapter 536
30 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any
31 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay
32 the effective date or to disapprove and annul a rule are subsequently held unconstitutional,
33 then the grant of rulemaking authority and any rule proposed or adopted after August 28,
34 2003, shall be invalid and void.

2 **210.1016. 1. The provisions of this section shall be known and may be cited as**
3 **"Hailey's Law".**

3 **2. The Amber alert system shall be integrated into the Missouri uniform law**
4 **enforcement system (MULES) and Regional Justice Information Service (REJIS) to**
5 **expedite the reporting of child abductions.**

287.243. 1. This section shall be known and may be cited as the "Line of Duty
2 Compensation Act".

3 2. As used in this section, unless otherwise provided, the following words shall
4 mean:

5 (1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance
6 with sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances
7 adopted by the department of health and senior services, division of regulation and licensure,
8 19 CSR 30-40.005, et seq.;

9 (2) "Air ambulance registered professional nurse", a person licensed as a registered
10 professional nurse in accordance with sections 335.011 to 335.096 and corresponding
11 regulations adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides
12 registered professional nursing services as a flight nurse in conjunction with an air ambulance
13 program that is certified in accordance with sections 190.001 to 190.245 and the
14 corresponding regulations applicable to such programs;

15 (3) **"Child", any natural, illegitimate, adopted, or posthumous child or stepchild**
16 **of a deceased law enforcement officer, emergency medical technician, air ambulance**
17 **pilot, air ambulance registered professional nurse, or firefighter who, at the time of the**
18 **law enforcement officer's, emergency medical technician's, air ambulance pilot's, air**
19 **ambulance registered professional nurse's, or firefighter's fatality is:**

20 **(a) Eighteen years of age or under;**

21 **(b) Over eighteen years of age and a student as defined in section 8101 of title 5,**
22 **United States Code; or**

23 **(c) Over eighteen years of age and incapable of self-support because of physical**
24 **or mental disability;**

25 (4) "Emergency medical technician", a person licensed in emergency medical care in
26 accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by
27 the department of health and senior services under sections 190.001 to 190.245;

28 [~~(4)~~] (5) "Firefighter", any person, including a volunteer firefighter, employed by the
29 state or a local governmental entity as an employer defined under subsection 1 of section
30 287.030, or otherwise serving as a member or officer of a fire department either for the
31 purpose of the prevention or control of fire or the underwater recovery of drowning victims, a
32 **uniformed employee of the office of the state fire marshal, or an emergency medical**
33 **technician as defined in subdivisions (15), (16), (17), (18), and (19) of section 190.100;**

34 ~~[(5)]~~ (6) "Killed in the line of duty", when any person defined in this section loses
35 his or her life when:

36 (a) Death is caused by an accident or the willful act of violence of another;

37 (b) The law enforcement officer, emergency medical technician, air ambulance pilot,
38 air ambulance registered professional nurse, or firefighter is in the active performance of his
39 or her duties in his or her respective profession and there is a relationship between the
40 accident or commission of the act of violence and the performance of the duty, even if the
41 individual is off duty; the law enforcement officer, emergency medical technician, air
42 ambulance pilot, air ambulance registered professional nurse, or firefighter is traveling to or
43 from employment; or the law enforcement officer, emergency medical technician, air
44 ambulance pilot, air ambulance registered professional nurse, or firefighter is taking any meal
45 break or other break which takes place while that individual is on duty;

46 (c) Death is the natural and probable consequence of the injury; and

47 (d) Death occurs within three hundred weeks from the date the injury was received.

48 The term excludes death resulting from the willful misconduct or intoxication of the law
49 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance
50 registered professional nurse, or firefighter. The division of workers' compensation shall
51 have the burden of proving such willful misconduct or intoxication;

52 ~~[(6)]~~ (7) "Law enforcement officer", any person employed by the state or a local
53 governmental entity as a police officer, peace officer certified under chapter 590, or serving
54 as an auxiliary police officer or in some like position involving the enforcement of the law
55 and protection of the public interest at the risk of that person's life;

56 ~~[(7)]~~ (8) "Local governmental entity", includes counties, municipalities, townships,
57 board or other political subdivision, cities under special charter, or under the commission
58 form of government, fire protection districts, ambulance districts, and municipal
59 corporations;

60 ~~[(8)]~~ (9) "State", the state of Missouri and its departments, divisions, boards,
61 bureaus, commissions, authorities, and colleges and universities;

62 ~~[(9)]~~ (10) "Volunteer firefighter", a person having principal employment other than
63 as a firefighter, but who is carried on the rolls of a regularly constituted fire department either
64 for the purpose of the prevention or control of fire or the underwater recovery of drowning
65 victims, the members of which are under the jurisdiction of the corporate authorities of a city,
66 village, incorporated town, or fire protection district. Volunteer firefighter shall not mean an
67 individual who volunteers assistance without being regularly enrolled as a firefighter.

68 3. (1) A claim for compensation under this section shall be filed ~~[by the estate of]~~ by
69 **survivors of** the deceased with the division of workers' compensation not later than one year

70 from the date of death of a law enforcement officer, emergency medical technician, air
71 ambulance pilot, air ambulance registered professional nurse, or firefighter. If a claim is
72 made within one year of the date of death of a law enforcement officer, emergency medical
73 technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter
74 killed in the line of duty, compensation shall be paid, if the division finds that the claimant is
75 entitled to compensation under this section.

76 (2) The amount of compensation paid to the claimant shall be twenty-five thousand
77 dollars, subject to appropriation, for death occurring on or after June 19, 2009.

78 4. **Any compensation awarded under the provisions of this section shall be**
79 **distributed as follows:**

80 (1) **If there is no child who survived the law enforcement officer, emergency**
81 **medical technician, air ambulance pilot, air ambulance registered professional nurse, or**
82 **firefighter, to the surviving spouse of the law enforcement officer, emergency medical**
83 **technician, air ambulance pilot, air ambulance registered professional nurse, or**
84 **firefighter;**

85 (2) **If there is at least one child who survived the law enforcement officer,**
86 **emergency medical technician, air ambulance pilot, air ambulance registered**
87 **professional nurse, or firefighter, and a surviving spouse of the law enforcement officer,**
88 **emergency medical technician, air ambulance pilot, air ambulance registered**
89 **professional nurse, or firefighter, fifty percent to the surviving child, or children, in**
90 **equal shares, and fifty percent to the surviving spouse;**

91 (3) **If there is no surviving spouse of the law enforcement officer, emergency**
92 **medical technician, air ambulance pilot, air ambulance registered professional nurse, or**
93 **firefighter, to the surviving child, or children, in equal shares;**

94 (4) **If there is no surviving spouse of the law enforcement officer, emergency**
95 **medical technician, air ambulance pilot, air ambulance registered professional nurse, or**
96 **firefighter and no surviving child:**

97 (a) **To the surviving individual, or individuals, in shares per the designation or,**
98 **otherwise, in equal shares, designated by the law enforcement officer, emergency**
99 **medical technician, air ambulance pilot, air ambulance registered professional nurse, or**
100 **firefighter to receive benefits under this subsection in the most recently executed**
101 **designation of beneficiary of the law enforcement officer, emergency medical**
102 **technician, air ambulance pilot, air ambulance registered professional nurse, or**
103 **firefighter on file at the time of death with the public safety agency, organization, or**
104 **unit; or**

105 **(b) If there is no individual qualifying under paragraph (a), to the surviving**
106 **individual, or individuals, in equal shares, designated by the law enforcement officer,**
107 **emergency medical technician, air ambulance pilot, air ambulance registered**
108 **professional nurse, or firefighter to receive benefits under the most recently executed**
109 **life insurance policy of the law enforcement officer, emergency medical technician, air**
110 **ambulance pilot, air ambulance registered professional nurse, or firefighter on file at**
111 **the time of death with the public safety agency, organization, or unit;**

112 **(5) If there is no individual qualifying under subdivisions (1), (2), (3), or (4) of**
113 **this subsection, to the surviving parent, or parents, in equal shares, of the law**
114 **enforcement officer, emergency medical technician, air ambulance pilot, air ambulance**
115 **registered professional nurse, or firefighter; or**

116 **(6) If there is no individual qualifying under subdivisions (1), (2), (3), (4), or (5)**
117 **of this subsection, to the surviving individual, or individuals, in equal shares, who**
118 **would otherwise qualify under the definition of the term "child" but for his or her age.**

119 **5.** Notwithstanding subsection 3 of this section, no compensation is payable under
120 this section unless a claim is filed within the time specified under this section setting forth:

121 (1) The name, address, and title or designation of the position in which the law
122 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance
123 registered professional nurse, or firefighter was serving at the time of his or her death;

124 (2) The name and address of the claimant;

125 (3) A full, factual account of the circumstances resulting in or the course of events
126 causing the death at issue; and

127 (4) Such other information that is reasonably required by the division.

128 When a claim is filed, the division of workers' compensation shall make an investigation for
129 substantiation of matters set forth in the application.

130 ~~[5-]~~ **6.** The compensation provided for under this section is in addition to, and not
131 exclusive of, any pension rights, death benefits, or other compensation the claimant may
132 otherwise be entitled to by law.

133 ~~[6-]~~ **7.** Neither employers nor workers' compensation insurers shall have subrogation
134 rights against any compensation awarded for claims under this section. Such compensation
135 shall not be assignable, shall be exempt from attachment, garnishment, and execution, and
136 shall not be subject to setoff or counterclaim, or be in any way liable for any debt, except that
137 the division or commission may allow as lien on the compensation, reasonable attorney's fees
138 for services in connection with the proceedings for compensation if the services are found to
139 be necessary. Such fees are subject to regulation as set forth in section 287.260.

140 ~~[7-]~~ **8.** Any person seeking compensation under this section who is aggrieved by the
141 decision of the division of workers' compensation regarding his or her compensation claim,
142 may make application for a hearing as provided in section 287.450. The procedures
143 applicable to the processing of such hearings and determinations shall be those established by
144 this chapter. Decisions of the administrative law judge under this section shall be binding,
145 subject to review by either party under the provisions of section 287.480.

146 ~~[8-]~~ **9.** Pursuant to section 23.253 of the Missouri sunset act:

147 (1) The provisions of the new program authorized under this section shall
148 automatically sunset six years after June 19, 2019, unless reauthorized by an act of the
149 general assembly; and

150 (2) If such program is reauthorized, the program authorized under this section shall
151 automatically sunset twelve years after the effective date of the reauthorization of this
152 section; and

153 (3) This section shall terminate on September first of the calendar year immediately
154 following the calendar year in which the program authorized under this section is sunset.

155 ~~[9-]~~ **10.** The provisions of this section, unless specified, shall not be subject to other
156 provisions of this chapter.

157 ~~[10-]~~ **11.** There is hereby created in the state treasury the "Line of Duty
158 Compensation Fund", which shall consist of moneys appropriated to the fund and any
159 voluntary contributions, gifts, or bequests to the fund. The state treasurer shall be custodian
160 of the fund and shall approve disbursements from the fund in accordance with sections
161 30.170 and 30.180. Upon appropriation, money in the fund shall be used solely for paying
162 claims under this section. Notwithstanding the provisions of section 33.080 to the contrary,
163 any moneys remaining in the fund at the end of the biennium shall not revert to the credit of
164 the general revenue fund. The state treasurer shall invest moneys in the fund in the same
165 manner as other funds are invested. Any interest and moneys earned on such investments
166 shall be credited to the fund.

167 ~~[11-]~~ **12.** The division shall promulgate rules to administer this section, including but
168 not limited to the appointment of claims to multiple claimants, record retention, and
169 procedures for information requests. Any rule or portion of a rule, as that term is defined in
170 section 536.010, that is created under the authority delegated in this section shall become
171 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
172 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
173 powers vested with the general assembly under chapter 536 to review, to delay the effective
174 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant

175 of rulemaking authority and any rule proposed or adopted after June 19, 2009, shall be
176 invalid and void.

**320.087. Records that are subject to closure under the Health Insurance
2 Portability and Accountability Act of 1996 (HIPAA), P.L. 104-191, as amended, may be
3 closed records as provided under sections 610.100 to 610.105 if maintained by fire
4 departments and fire protection districts.**

321.242. 1. The governing body of any fire protection district which operates within
2 and has boundaries identical to a city with a population of at least thirty thousand but not
3 more than thirty-five thousand inhabitants which is located in a county of the first
4 classification, excluding a county of the first classification having a population in excess of
5 nine hundred thousand, or the governing body of any municipality having a municipal fire
6 department may impose a sales tax in an amount of up to one-fourth of one percent on all
7 retail sales made in such fire protection district or municipality which are subject to taxation
8 pursuant to the provisions of sections 144.010 to 144.525. The tax authorized by this section
9 shall be in addition to any and all other sales taxes allowed by law, except that no sales tax
10 imposed pursuant to the provisions of this section shall be effective unless the governing
11 body of the fire protection district or municipality submits to the voters of such fire protection
12 district or municipality, at a county or state general, primary or special election, a proposal to
13 authorize the governing body of the fire protection district or municipality to impose a tax.

14 2. The ballot of submission shall contain, but need not be limited to, the following
15 language:

16 Shall (insert name of district or municipality) impose a sales tax of
17 (insert rate of tax) for the purpose of providing revenues for the operation of the
18 (insert fire protection district or municipal fire department)?

19 YES NO

20

21 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in
22 favor of the proposal, then the sales tax authorized in this section shall be in effect. If a
23 majority of the votes cast by the qualified voters voting are opposed to the proposal, then the
24 governing body of the fire protection district or municipality shall not impose the sales tax
25 authorized in this section unless and until the governing body of such fire protection district
26 or municipality resubmits a proposal to authorize the governing body of the fire protection
27 district or municipality to impose the sales tax authorized by this section and such proposal is
28 approved by a majority of the qualified voters voting thereon.

29 3. All revenue received by a fire protection district or municipality from the tax
30 authorized pursuant to the provisions of this section shall be deposited in a special trust fund

31 and shall be used solely for the operation of the fire protection district or the municipal fire
32 department.

33 4. All sales taxes collected by the director of revenue pursuant to this section **or**
34 **section 321.246** on behalf of any fire protection district or municipality, less one percent for
35 cost of collection which shall be deposited in the state's general revenue fund after payment
36 of premiums for surety bonds as provided in section 32.087, shall be deposited in a special
37 trust fund, which is hereby created, to be known as the "Fire Protection Sales Tax Trust
38 Fund". Any moneys in the fire protection district sales tax trust fund created prior to August
39 28, 1999, shall be transferred to the fire protection sales tax trust fund. The moneys in the
40 fire protection sales tax trust fund shall not be deemed to be state funds and shall not be
41 commingled with any funds of the state. The director of revenue shall keep accurate records
42 of the amount of money in the trust fund and of the amounts which were collected in each
43 fire protection district or municipality imposing a sales tax pursuant to this section, and the
44 records shall be open to the inspection of officers of the fire protection district or
45 municipality and the public. Not later than the tenth day of each month, the director of
46 revenue shall distribute all moneys deposited in the trust fund during the preceding month to
47 the fire protection district or municipality which levied the tax. Such funds shall be deposited
48 with the treasurer of each such fire protection district or municipality, and all expenditures of
49 funds arising from the fire protection sales tax trust fund shall be for the operation of the fire
50 protection district or the municipal fire department and for no other purpose.

51 5. The director of revenue may [~~authorize the state treasurer to~~] make refunds from
52 the amounts in the trust fund and credited to any fire protection district or municipality for
53 erroneous payments and overpayments made and may redeem dishonored checks and drafts
54 deposited to the credit of such fire protection districts or municipalities. If any fire protection
55 district or municipality abolishes the tax, the fire protection district or municipality shall
56 notify the director of revenue of the action at least ninety days prior to the effective date of
57 the repeal and the director of revenue may order retention in the trust fund, for a period of
58 one year, of two percent of the amount collected after receipt of such notice to cover possible
59 refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to
60 the credit of such accounts. After one year has elapsed after the effective date of abolition of
61 the tax in such fire protection district or municipality, the director of revenue shall remit the
62 balance in the account to the fire protection district or municipality and close the account of
63 that fire protection district or municipality. The director of revenue shall notify each fire
64 protection district or municipality of each instance of any amount refunded or any check
65 redeemed from receipts due the fire protection district or municipality. In the event a tax
66 within a fire protection district is approved pursuant to this section, and such fire protection

67 district is dissolved, if the boundaries of the fire protection district are identical to that of the
68 city, the tax shall continue and proceeds shall be distributed to the governing body of the city
69 formerly containing the fire protection district and the proceeds of the tax shall be used for
70 fire protection services within such city.

71 6. Except as modified in this section, all provisions of sections 32.085 and 32.087
72 shall apply to the tax imposed pursuant to this section.

321.246. 1. The governing body of any fire protection district which operates within
2 both a county of the first classification with a charter form of government and with a
3 population greater than six hundred thousand but less than nine hundred thousand and a
4 county of the fourth classification with a population greater than thirty thousand but less than
5 thirty-five thousand and that adjoins a county of the first classification with a charter form of
6 government, [or] the governing body of any fire protection district which contains a city of
7 the fourth classification having a population greater than two thousand four hundred when the
8 city is located in a county of the first classification without a charter form of government
9 having a population greater than one hundred fifty thousand and the county contains a portion
10 of a city with a population greater than three hundred fifty thousand, **or the governing body**
11 **of any fire protection district which operates in a county of the third classification with**
12 **a population greater than fourteen thousand but less than fifteen thousand** may impose
13 a sales tax in an amount of up to one-half of one percent on all retail sales made in such fire
14 protection district which are subject to taxation pursuant to the provisions of sections 144.010
15 to 144.525. The tax authorized by this section shall be in addition to any and all other sales
16 taxes allowed by law, except that no sales tax imposed pursuant to the provisions of this
17 section shall be effective unless the governing body of the fire protection district submits to
18 the voters of the fire protection district, at a county or state general, primary or special
19 election, a proposal to authorize the governing body of the fire protection district to impose a
20 tax.

21 2. The ballot of submission shall contain, but need not be limited to, the following
22 language:

23 Shall the fire protection district of (district's name) impose a district-wide
24 sales tax of for the purpose of providing revenues for the operation of the fire
25 protection district?

26 YES NO

27
28 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in
29 favor of the proposal, then the sales tax authorized in this section shall be in effect. If a
30 majority of the votes cast by the qualified voters voting are opposed to the proposal, then the

31 governing body of the fire protection district shall not impose the sales tax authorized in this
32 section unless and until the governing body of the fire protection district resubmits a proposal
33 to authorize the governing body of the fire protection district to impose the sales tax
34 authorized by this section and such proposal is approved by a majority of the qualified voters
35 voting thereon.

36 3. All revenue received by a fire protection district from the tax authorized pursuant
37 to the provisions of this section shall be deposited in a special trust fund and shall be used
38 solely for the operation of the fire protection district.

39 4. All sales taxes collected by the director of revenue pursuant to this section on
40 behalf of any fire protection district, less one percent for cost of collection which shall be
41 deposited in the state's general revenue fund after payment of premiums for surety bonds as
42 provided in section 32.087, shall be deposited in the fire protection district sales tax trust
43 fund established pursuant to section 321.242. The moneys in the fire protection district sales
44 tax trust fund shall not be deemed to be state funds and shall not be commingled with any
45 funds of the state. The director of revenue shall keep accurate records of the amount of
46 money in the trust and which was collected in each fire protection district imposing a sales
47 tax pursuant to this section, and the records shall be open to the inspection of officers of the
48 fire protection district and the public. Not later than the tenth day of each month, the director
49 of revenue shall distribute all moneys deposited in the trust fund during the preceding month
50 to the fire protection district which levied the tax. Such funds shall be deposited with the
51 treasurer of each such fire protection district, and all expenditures of funds arising from the
52 fire protection district sales tax trust fund shall be for the operation of the fire protection
53 district and for no other purpose.

54 5. The director of revenue may ~~authorize the state treasurer to~~ make refunds from
55 the amounts in the trust fund and credited to any fire protection district for erroneous
56 payments and overpayments made and may redeem dishonored checks and drafts deposited to
57 the credit of such fire protection districts. If any fire protection district abolishes the tax, the
58 fire protection district shall notify the director of revenue of the action at least ninety days
59 prior to the effective date of the repeal and the director of revenue may order retention in the
60 trust fund, for a period of one year, of two percent of the amount collected after receipt of
61 such notice to cover possible refunds or overpayment of the tax and to redeem dishonored
62 checks and drafts deposited to the credit of such accounts. After one year has elapsed after
63 the effective date of abolition of the tax in such fire protection district, the director of revenue
64 shall remit the balance in the account to the fire protection district and close the account of
65 that fire protection district. The director of revenue shall notify each fire protection district of
66 each instance of any amount refunded or any check redeemed from receipts due the fire

67 protection district. In the event a tax within a fire protection district is approved under this
68 section, and such fire protection district is dissolved, the tax shall lapse on the date that the
69 fire protection district is dissolved and the proceeds from the last collection of such tax shall
70 be distributed to the governing bodies of the counties formerly containing the fire protection
71 district and the proceeds of the tax shall be used for fire protection services within such
72 counties.

73 6. Except as modified in this section, all provisions of sections 32.085 and 32.087
74 shall apply to the tax imposed pursuant to this section.

**513.655. 1. No law enforcement agency or prosecuting authority shall enter into
2 an agreement to transfer or refer seized property to a federal agency directly,
3 indirectly, by adoption, through an intergovernmental joint task force, or by any other
4 means for the purposes of forfeiture litigation unless the seized property includes
5 United States currency in excess of one hundred thousand dollars.**

6 **2. All law enforcement agencies shall refer seized property to the appropriate
7 prosecuting authority for forfeiture litigation unless the seized property includes United
8 States currency in excess of one hundred thousand dollars. If seized property includes
9 United States currency in excess of one hundred thousand dollars, the law enforcement
10 agency may refer or transfer the seized property to either a:**

11 **(1) Federal agency for forfeiture litigation under federal law; or**

12 **(2) Local or state agency for forfeiture litigation under state law.**

13 **3. Nothing in subsection 1 or 2 of this section shall be construed to restrict a law
14 enforcement agency from collaborating with a federal agency through an
15 intergovernmental joint task force to seize contraband or property that the law
16 enforcement agency has probable cause to believe is the proceeds or instruments of a
17 crime.**

**590.510. 1. Every law enforcement agency in this state shall have a written
2 policy regarding the investigation of officer-involved deaths that involve a law
3 enforcement officer employed by the law enforcement agency. Such written policy
4 shall:**

5 **(1) Require an investigation conducted by at least two investigators, one of
6 whom is the lead investigator and neither of whom is employed by a law enforcement
7 agency that employs a law enforcement officer involved in the officer-involved death;**

8 **(2) Require the investigation to use a crash reconstruction unit from a law
9 enforcement agency that does not employ a law enforcement officer involved in the
10 officer-involved death being investigated if the death is traffic-related. However, any
11 state law enforcement agency may allow an investigation involving a law enforcement**

12 officer employed by that agency to use a crash reconstruction unit from the same state
13 law enforcement agency; and

14 (3) Allow an internal investigation into the officer-involved death if the internal
15 investigation does not interfere with the investigation required under this section.

16 2. Compensation for participation in an investigation under this chapter shall be
17 determined in a manner consistent with mutual aid agreements.

18 3. The investigators conducting an investigation under this section shall provide
19 a complete report, in an expeditious manner, to the prosecutor of the county or city not
20 within a county in which the officer-involved death occurred. If the prosecutor
21 determines there is no basis to prosecute the law enforcement officer involved in the
22 officer-involved death, the investigators conducting the investigation under this section
23 shall release a report of their findings.

24 4. As used in this section, the term "officer-involved death" shall mean a death
25 of an individual that results directly from an action or an omission of a law enforcement
26 officer while the officer is on duty or while the officer is off duty but performing
27 activities that are within the scope of his or her law enforcement duties.

✓