

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 283**  
**99TH GENERAL ASSEMBLY**

1203H.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 67.1364, 137.565, and 233.180, RSMo, and to enact in lieu thereof three new sections relating to local commissions.

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

Section A. Sections 67.1364, 137.565, and 233.180, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 67.1364, 137.565, and 233.180, to read as follows:

67.1364. 1. Upon adoption of the tourism sales tax, there shall be established a tourism commission to consist of five members appointed by the governing body of the city or county. Of these five members, one will be a representative of the hotel and motel industry and two shall be active in the tourism industry; the remaining members of the commission will be members of local general business interests in the city or county. One member of the city or county governing body shall serve as liaison in a nonvoting capacity. **If members of a tourism commission are appointed by the governing body of a city, all members shall be a resident of the city or county in which any part of the city is located. If members of a tourism commission are appointed by the governing body of a county, all members shall be a resident of such county.** Members of the tourism commission will be appointed for a term of three years; but, of the members first appointed, one shall be appointed for a term of one year, two shall be appointed for a term of two years, and two shall be appointed for a term of three years. Members of the commission may serve no more than two consecutive terms. The members will serve without compensation.

2. The revenue received from the tax shall be deposited in a special fund and used solely to promote tourism. The commission shall administer the moneys within the limits of the budget approved by the city or county governing body.

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.

137.565. Whenever ten or more voters residing in **or owners of land in** any general or  
2 special road district in any county in this state shall petition the county commission of the county  
3 in which such district is located, asking that such commission submit the question in such district  
4 for the purpose of voting for or against the levy of the tax provided for in ~~the second sentence~~  
5 ~~of the first paragraph of~~ Section 12(a) of Article X of the Constitution of Missouri, it shall be  
6 the duty of the county commission, upon the filing of such petition, to submit the question. The  
7 petition so filed shall set out the duration of the tax to be levied in a period of one, two, three,  
8 or four years and the ballot to be used for voting shall specify the number of years duration of  
9 the tax levy, but in no event shall the duration of the tax levy be for a period of more than four  
10 years. Such submission shall be made by an order entered of record setting forth the date and  
11 the rate of tax the commission will levy, which rate shall not exceed thirty-five cents on the  
12 hundred dollars assessed valuation on all taxable real and tangible personal property in the  
13 district.

233.180. 1. At the term of the county commission in which such order is made, or at any  
2 subsequent term thereafter, the county commission shall appoint three commissioners of the  
3 special road district, who shall be voters of the district and owners of land within the district,  
4 who shall hold their office until the second Tuesday in April thereafter. The voters of the district  
5 shall elect three commissioners of the special road district, one of whom shall serve one year,  
6 one for two years and one for three years, and on municipal election days each year thereafter  
7 they shall elect a commissioner of the special road district to take the place of the one whose  
8 term is about to expire, who shall serve three years.

9 2. No person shall be elected or appointed commissioner of the special road district who  
10 is not a voter of **the district or a registered voter from the county in which the district is**  
11 **located and an owner of land in** the district. Any vacancy caused by resignation, death,  
12 removal from the district of a commissioner of the special road district or sale of all land owned  
13 by ~~him~~ **the commissioner** in the district shall be filled for the unexpired term by appointment  
14 by the remaining commissioners of the special road district. All commissioners of the special  
15 road district shall qualify by taking, subscribing and filing with the county clerk the oath  
16 prescribed by the constitution of this state, and that they will faithfully, honestly and impartially  
17 discharge their duties as commissioners of the special road district according to law.

18 3. If for any reason the board of commissioners of the special road district herein  
19 mentioned shall fail to fill a vacancy or vacancies caused by the expiration of the term of any one  
20 or more of the commissioners of the special road district, then the county commission is hereby  
21 authorized and required to appoint a person to fill the vacancy. **In the event that two**  
22 **consecutive elections pass without any candidates for a special road district commissioner**  
23 **in municipal elections, then the county commission is hereby authorized and required to**  
24 **appoint commissioners of the special road district for three-year terms thereafter with no**  
25 **further elections being held.**

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