

SECOND REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 1023

103RD GENERAL ASSEMBLY

5365S.03C

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 182.802 and 488.426, RSMo, and to enact in lieu thereof two new sections relating to funding for certain libraries.

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

Section A. Sections 182.802 and 488.426, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 182.802 and 488.426, to read as follows:

182.802. 1. (1) Any public library district located
2 in any of the following counties may impose a tax as
3 provided in this section:

4 (a) At least partially within any county of the third
5 classification without a township form of government and
6 with more than forty thousand eight hundred but fewer than
7 forty thousand nine hundred inhabitants;

8 (b) Any county of the third classification without a
9 township form of government and with more than thirteen
10 thousand five hundred but fewer than thirteen thousand six
11 hundred inhabitants;

12 (c) Any county of the third classification without a
13 township form of government and with more than thirteen
14 thousand two hundred but fewer than thirteen thousand three
15 hundred inhabitants;

16 (d) Any county of the third classification with a
17 township form of government and with more than twenty-nine

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

18 thousand seven hundred but fewer than twenty-nine thousand
19 eight hundred inhabitants;

20 (e) Any county of the second classification with more
21 than nineteen thousand seven hundred but fewer than nineteen
22 thousand eight hundred inhabitants;

23 (f) Any county of the third classification with a
24 township form of government and with more than thirty-three
25 thousand one hundred but fewer than thirty-three thousand
26 two hundred inhabitants;

27 (g) Any county of the third classification without a
28 township form of government and with more than eighteen
29 thousand but fewer than twenty thousand inhabitants and with
30 a city of the third classification with more than six
31 thousand but fewer than seven thousand inhabitants as the
32 county seat;

33 (h) Any county of the fourth classification with more
34 than twenty thousand but fewer than thirty thousand
35 inhabitants; [or]

36 (i) Any county of the third classification with more
37 than thirteen thousand nine hundred but fewer than fourteen
38 thousand inhabitants;

39 **(j) Any county with more than four hundred thousand**
40 **but fewer than five hundred thousand inhabitants;**

41 **(k) Any county with more than one hundred thousand but**
42 **fewer than one hundred twenty thousand inhabitants and with**
43 **a county seat with more than twelve thousand but fewer than**
44 **fourteen thousand inhabitants;**

45 **(l) Any county with more than thirty-five thousand but**
46 **fewer than forty thousand inhabitants and with a county seat**
47 **with more than eight thousand but fewer than ten thousand**
48 **inhabitants;**

49 (m) Any county with more than fourteen thousand but
50 fewer than fifteen thousand seven hundred inhabitants and
51 with a county seat with more than two thousand but fewer
52 than three thousand inhabitants;

53 (n) Any county with more than twenty-two thousand but
54 fewer than twenty-five thousand inhabitants and with a
55 county seat with more than one thousand four hundred but
56 fewer than one thousand nine hundred inhabitants;

57 (o) Any county with more than eighty thousand but
58 fewer than one hundred thousand inhabitants and with a
59 county seat with more than seventy thousand but fewer than
60 eighty thousand inhabitants;

61 (p) Any county with more than eight thousand nine
62 hundred but fewer than nine thousand nine hundred
63 inhabitants and with a county seat with more than one
64 thousand but fewer than two thousand inhabitants;

65 (q) Any county with more than twelve thousand five
66 hundred but fewer than fourteen thousand inhabitants and
67 with a county seat with more than four thousand but fewer
68 than five thousand inhabitants;

69 (r) Any county with more than eight thousand but fewer
70 than eight thousand nine hundred inhabitants and with a
71 county seat with more than three hundred but fewer than six
72 hundred inhabitants;

73 (s) Any county with more than twenty-two thousand but
74 fewer than twenty-five thousand inhabitants and with a
75 county seat with more than one hundred but fewer than five
76 hundred inhabitants;

77 (t) Any county with more than eighty thousand but
78 fewer than one hundred thousand inhabitants and with a
79 county seat with more than twenty thousand but fewer than
80 twenty-five thousand inhabitants;

81 (u) Any county with more than two hundred sixty
82 thousand but fewer than three hundred thousand inhabitants;

83 (v) Any county with more than two hundred thousand but
84 fewer than two hundred thirty thousand inhabitants;

85 (w) Any county with more than one hundred twenty
86 thousand but fewer than one hundred fifty thousand
87 inhabitants;

88 (x) Any county with more than fifty thousand but fewer
89 than sixty thousand inhabitants and with a county seat with
90 more than ten thousand but fewer than twelve thousand six
91 hundred inhabitants;

92 (y) Any county with more than one hundred thousand but
93 fewer than one hundred twenty thousand inhabitants and with
94 a county seat with more than nine thousand but fewer than
95 eleven thousand inhabitants;

96 (z) Any county with more than thirty thousand but
97 fewer than thirty-five thousand inhabitants and with a
98 county seat with more than three thousand eight hundred but
99 fewer than six thousand inhabitants;

100 (aa) Any county with more than fifty thousand but
101 fewer than sixty thousand inhabitants and with a county seat
102 with more than seventeen thousand but fewer than twenty-one
103 thousand inhabitants;

104 (bb) Any county with more than thirty-five thousand
105 but fewer than forty thousand inhabitants and with a county
106 seat with more than five thousand but fewer than eight
107 thousand inhabitants;

108 (cc) Any county with more than thirty-five thousand
109 but fewer than forty thousand inhabitants and with a county
110 seat with more than ten thousand but fewer than fourteen
111 thousand inhabitants;

112 (dd) Any county with more than forty thousand but
113 fewer than fifty thousand inhabitants and with a county seat
114 with more than twenty-one thousand but fewer than thirty-one
115 thousand inhabitants;

116 (ee) Any county with more than nineteen thousand but
117 fewer than twenty-two thousand inhabitants and with a county
118 seat with more than one thousand but fewer than two thousand
119 two hundred twenty inhabitants;

120 (ff) Any county with more than fifteen thousand seven
121 hundred but fewer than seventeen thousand six hundred
122 inhabitants and with a county seat with more than seven
123 thousand but fewer than nine thousand inhabitants;

124 (gg) Any county with more than twenty-two thousand but
125 fewer than twenty-five thousand inhabitants and with a
126 county seat with more than nine hundred but fewer than one
127 thousand four hundred inhabitants;

128 (hh) Any county with more than eight thousand but
129 fewer than eight thousand nine hundred inhabitants and with
130 a county seat with more than eight hundred but fewer than
131 one thousand three hundred inhabitants;

132 (ii) Any county with more than twenty-two thousand but
133 fewer than twenty-five thousand inhabitants and with a
134 county seat with more than nine thousand but fewer than
135 twelve thousand five hundred inhabitants;

136 (jj) Any county with more than eighty thousand but
137 fewer than one hundred thousand inhabitants and with a
138 county seat with more than thirteen thousand but fewer than
139 seventeen thousand inhabitants;

140 (kk) Any county with more than thirty thousand but
141 fewer than thirty-five thousand inhabitants and with a
142 county seat with more than two thousand but fewer than three
143 thousand eight hundred inhabitants;

144 (ll) Any county with more than thirty-five thousand
145 but fewer than forty thousand inhabitants and with a county
146 seat with more than two thousand but fewer than five
147 thousand inhabitants;

148 (mm) Any county with more than eight thousand nine
149 hundred but fewer than nine thousand nine hundred
150 inhabitants and with a county seat with more than five
151 thousand but fewer than six thousand inhabitants;

152 (nn) Any county with more than fourteen thousand but
153 fewer than fifteen thousand seven hundred inhabitants and
154 with a county seat with more than eight thousand but fewer
155 than ten thousand inhabitants;

156 (oo) Any county with more than twenty-two thousand but
157 fewer than twenty-five thousand inhabitants and with a
158 county seat with more than twelve thousand five hundred but
159 fewer than sixteen thousand inhabitants;

160 (pp) Any county with more than fifty thousand but
161 fewer than sixty thousand inhabitants and with a county seat
162 with more than four thousand but fewer than seven thousand
163 inhabitants;

164 (qq) Any county with more than twelve thousand five
165 hundred but fewer than fourteen thousand inhabitants and
166 with a county seat with more than one thousand but fewer
167 than two thousand inhabitants;

168 (rr) Any county with more than seventy thousand but
169 fewer than eighty thousand inhabitants;

170 (ss) Any county with more than forty thousand but
171 fewer than fifty thousand inhabitants and with a county seat
172 with more than eighteen thousand but fewer than twenty-one
173 thousand inhabitants;

174 (tt) Any county with more than seventeen thousand six
175 hundred but fewer than nineteen thousand inhabitants and

176 with a county seat with more than four thousand but fewer
177 than five thousand fifty inhabitants;

178 (uu) Any county with more than nineteen thousand but
179 fewer than twenty-two thousand inhabitants and with a county
180 seat with more than two thousand five hundred but fewer than
181 four thousand inhabitants;

182 (vv) Any county with more than seventeen thousand six
183 hundred but fewer than nineteen thousand inhabitants and
184 with a county seat with more than eight thousand but fewer
185 than ten thousand inhabitants;

186 (ww) Any county with more than thirty-five thousand
187 but fewer than forty thousand inhabitants and with a county
188 seat with more than five hundred but fewer than two thousand
189 inhabitants;

190 (xx) Any county with more than nine thousand nine
191 hundred but fewer than eleven thousand inhabitants and with
192 a county seat with more than six hundred but fewer than one
193 thousand inhabitants;

194 (yy) Any county with more than twenty-five thousand
195 but fewer than thirty thousand inhabitants and with a county
196 seat with more than two thousand five hundred but fewer than
197 six thousand inhabitants;

198 (zz) Any county with more than twenty-five thousand
199 but fewer than thirty thousand inhabitants and with a county
200 seat with more than fourteen thousand but fewer than twenty
201 thousand inhabitants;

202 (aaa) Any county with more than fourteen thousand but
203 fewer than fifteen thousand seven hundred inhabitants and
204 with a county seat with more than four thousand five hundred
205 fifty but fewer than four thousand nine hundred inhabitants.

206 (2) Any public library district listed in subdivision
207 (1) of this subsection may, by a majority vote of its board

208 of directors, impose a tax not to exceed one-half of one
209 cent on all retail sales subject to taxation under sections
210 144.010 to 144.525 for the purpose of funding the operation
211 and maintenance of public libraries within the boundaries of
212 such library district. **If the library board approves**
213 **placing the sales tax authorized by this section on the**
214 **ballot, then the county commission shall comply and place**
215 **the measure before the voters.** The tax authorized by this
216 subsection shall be in addition to all other taxes allowed
217 by law. No tax under this subsection shall become effective
218 unless the board of directors submits to the voters of the
219 district, at a county or state general, primary or special
220 election, a proposal to authorize the tax, and such tax
221 shall become effective only after the majority of the voters
222 voting on such tax approve such tax.

223 2. In the event the district seeks to impose a sales
224 tax under this subsection, the question shall be submitted
225 in substantially the following form:

226 Shall a _____ cent sales tax be levied on all
227 retail sales within the district for the purpose
228 of providing funding for _____ library district?

229 YES NO

230 If a majority of the votes cast on the proposal by the
231 qualified voters voting thereon are in favor of the
232 proposal, then the tax shall become effective. If a
233 majority of the votes cast by the qualified voters voting
234 are opposed to the proposal, then the board of directors
235 shall have no power to impose the tax unless and until
236 another proposal to authorize the tax is submitted to the

237 voters of the district and such proposal is approved by a
238 majority of the qualified voters voting thereon. The
239 provisions of sections 32.085 and 32.087 shall apply to any
240 tax approved under this subsection.

241 3. As used in this section, "qualified voters" or
242 "voters" means any individuals residing within the district
243 who are eligible to be registered voters and who have
244 registered to vote under chapter 115, or, if no individuals
245 are eligible and registered to vote reside within the
246 proposed district, all of the owners of real property
247 located within the proposed district who have unanimously
248 petitioned for or consented to the adoption of an ordinance
249 by the governing body imposing a tax authorized in this
250 section. If the owner of the property within the proposed
251 district is a political subdivision or corporation of the
252 state, the governing body of such political subdivision or
253 corporation shall be considered the owner for purposes of
254 this section.

255 4. For purposes of this section the term "public
256 library district" shall mean any city library district,
257 county library district, city-county library district,
258 municipal library district, consolidated library district,
259 or urban library district.

488.426. 1. The judges of the circuit court, en banc,
2 in any circuit in this state may require any party filing a
3 civil case in the circuit court, at the time of filing the
4 suit, to deposit with the clerk of the court a surcharge in
5 addition to all other deposits required by law or court
6 rule. Sections 488.426 to 488.432 shall not apply to
7 proceedings when costs are waived or are to be paid by the
8 county or state or any city.

9 2. The surcharge in effect on August 28, 2001, shall
10 remain in effect until changed by the circuit court. The
11 circuit court in any circuit, except the circuit court in
12 Jackson County, **the circuit court in the city of St. Louis,**
13 or the circuit court in any circuit that reimburses the
14 state for the salaries of family court commissioners under
15 and pursuant to section 487.020, may change the fee to any
16 amount not to exceed fifteen dollars. The circuit court in
17 Jackson County, **the circuit court in the city of St. Louis,**
18 or the circuit court in any circuit that reimburses the
19 state for the salaries of family court commissioners under
20 and pursuant to section 487.020 may change the fee to any
21 amount not to exceed twenty dollars. A change in the fee
22 shall become effective and remain in effect until further
23 changed.

24 3. Sections 488.426 to 488.432 shall not apply to
25 proceedings when costs are waived or are paid by the county
26 or state or any city.

27 [4. In addition to any fee authorized by subsection 1
28 of this section, any county of the first classification with
29 more than one hundred one thousand but fewer than one
30 hundred fifteen thousand inhabitants may impose an
31 additional fee of ten dollars excluding cases concerning
32 adoption and those in small claims court. The provisions of
33 this subsection shall expire on December 31, 2019.]

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