

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 1023  
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.

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*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2 repealed and two new sections enacted in lieu thereof, to be  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  
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 one hundred thousand but  
40 fewer than one hundred twenty thousand inhabitants and with  
41 a county seat with more than twelve thousand but fewer than  
42 fourteen thousand inhabitants;

43 (k) Any county with more than thirty-five thousand but  
44 fewer than forty thousand inhabitants and with a county seat  
45 with more than eight thousand but fewer than ten thousand  
46 inhabitants;

47 (l) Any county with more than fourteen thousand but  
48 fewer than fifteen thousand seven hundred inhabitants and  
49 with a county seat with more than two thousand but fewer  
50 than three thousand inhabitants;

51 (m) Any county with more than twenty-two thousand but  
52 fewer than twenty-five thousand inhabitants and with a

53 county seat with more than one thousand four hundred but  
54 fewer than one thousand nine hundred inhabitants;

55 (n) Any county with more than eighty thousand but  
56 fewer than one hundred thousand inhabitants and with a  
57 county seat with more than seventy thousand but fewer than  
58 eighty thousand inhabitants;

59 (o) Any county with more than eight thousand nine  
60 hundred but fewer than nine thousand nine hundred  
61 inhabitants and with a county seat with more than one  
62 thousand but fewer than two thousand inhabitants;

63 (p) Any county with more than twelve thousand five  
64 hundred but fewer than fourteen thousand inhabitants and  
65 with a county seat with more than four thousand but fewer  
66 than five thousand inhabitants;

67 (q) Any county with more than eight thousand but fewer  
68 than eight thousand nine hundred inhabitants and with a  
69 county seat with more than three hundred but fewer than six  
70 hundred inhabitants;

71 (r) Any county with more than twenty-two thousand but  
72 fewer than twenty-five thousand inhabitants and with a  
73 county seat with more than one hundred but fewer than five  
74 hundred inhabitants;

75 (s) Any county with more than two hundred sixty  
76 thousand but fewer than three hundred thousand inhabitants;

77 (t) Any county with more than two hundred thousand but  
78 fewer than two hundred thirty thousand inhabitants;

79 (u) Any county with more than one hundred twenty  
80 thousand but fewer than one hundred fifty thousand  
81 inhabitants;

82 (v) Any county with more than fifty thousand but fewer  
83 than sixty thousand inhabitants and with a county seat with  
84 more than ten thousand but fewer than twelve thousand six  
85 hundred inhabitants;

86           (w) Any county with more than one hundred thousand but  
87 fewer than one hundred twenty thousand inhabitants and with  
88 a county seat with more than nine thousand but fewer than  
89 eleven thousand inhabitants;

90           (x) Any county with more than thirty thousand but  
91 fewer than thirty-five thousand inhabitants and with a  
92 county seat with more than three thousand eight hundred but  
93 fewer than six thousand inhabitants;

94           (y) Any county with more than fifty thousand but fewer  
95 than sixty thousand inhabitants and with a county seat with  
96 more than seventeen thousand but fewer than twenty-one  
97 thousand inhabitants;

98           (aa) Any county with more than thirty-five thousand  
99 but fewer than forty thousand inhabitants and with a county  
100 seat with more than five thousand but fewer than eight  
101 thousand inhabitants;

102           (bb) Any county with more than thirty-five thousand  
103 but fewer than forty thousand inhabitants and with a county  
104 seat with more than ten thousand but fewer than fourteen  
105 thousand inhabitants;

106           (cc) Any county with more than forty thousand but  
107 fewer than fifty thousand inhabitants and with a county seat  
108 with more than twenty-one thousand but fewer than thirty-one  
109 thousand inhabitants;

110           (dd) Any county with more than nineteen thousand but  
111 fewer than twenty-two thousand inhabitants and with a county  
112 seat with more than one thousand but fewer than two thousand  
113 two hundred twenty inhabitants;

114           (ee) Any county with more than fifteen thousand seven  
115 hundred but fewer than seventeen thousand six hundred  
116 inhabitants and with a county seat with more than seven  
117 thousand but fewer than nine thousand inhabitants;

118           (ff) Any county with more than twenty-two thousand but  
119 fewer than twenty-five thousand inhabitants and with a  
120 county seat with more than nine hundred but fewer than one  
121 thousand four hundred inhabitants;

122           (gg) Any county with more than eight thousand but  
123 fewer than eight thousand nine hundred inhabitants and with  
124 a county seat with more than eight hundred but fewer than  
125 one thousand three hundred inhabitants;

126           (hh) Any county with more than twenty-two thousand but  
127 fewer than twenty-five thousand inhabitants and with a  
128 county seat with more than nine thousand but fewer than  
129 twelve thousand five hundred inhabitants;

130           (ii) Any county with more than eighty thousand but  
131 fewer than one hundred thousand inhabitants and with a  
132 county seat with more than thirteen thousand but fewer than  
133 seventeen thousand inhabitants;

134           (jj) Any county with more than eight thousand nine  
135 hundred but fewer than nine thousand nine hundred  
136 inhabitants and with a county seat with more than five  
137 thousand but fewer than six thousand inhabitants;

138           (kk) Any county with more than fourteen thousand but  
139 fewer than fifteen thousand seven hundred inhabitants and  
140 with a county seat with more than eight thousand but fewer  
141 than ten thousand inhabitants;

142           (ll) Any county with more than fifty thousand but  
143 fewer than sixty thousand inhabitants and with a county seat  
144 with more than four thousand but fewer than seven thousand  
145 inhabitants;

146           (mm) Any county with more than twelve thousand five  
147 hundred but fewer than fourteen thousand inhabitants and  
148 with a county seat with more than one thousand but fewer  
149 than two thousand inhabitants;

150           (nn) Any county with more than seventy thousand but  
151 fewer than eighty thousand inhabitants;

152           (oo) Any county with more than forty thousand but  
153 fewer than fifty thousand inhabitants and with a county seat  
154 with more than eighteen thousand but fewer than twenty-one  
155 thousand inhabitants;

156           (pp) Any county with more than seventeen thousand six  
157 hundred but fewer than nineteen thousand inhabitants and  
158 with a county seat with more than four thousand but fewer  
159 than five thousand fifty inhabitants;

160           (qq) Any county with more than nineteen thousand but  
161 fewer than twenty-two thousand inhabitants and with a county  
162 seat with more than two thousand five hundred but fewer than  
163 four thousand inhabitants;

164           (rr) Any county with more than seventeen thousand six  
165 hundred but fewer than nineteen thousand inhabitants and  
166 with a county seat with more than eight thousand but fewer  
167 than ten thousand inhabitants;

168           (ss) Any county with more than thirty-five thousand  
169 but fewer than forty thousand inhabitants and with a county  
170 seat with more than five hundred but fewer than two thousand  
171 inhabitants;

172           (tt) Any county with more than nine thousand nine  
173 hundred but fewer than eleven thousand inhabitants and with  
174 a county seat with more than six hundred but fewer than one  
175 thousand inhabitants;

176           (uu) Any county with more than twenty-five thousand  
177 but fewer than thirty thousand inhabitants and with a county  
178 seat with more than two thousand five hundred but fewer than  
179 six thousand inhabitants;

180           (vv) Any county with more than twenty-five thousand  
181 but fewer than thirty thousand inhabitants and with a county

182 seat with more than fourteen thousand but fewer than twenty  
183 thousand inhabitants;

184 (ww) Any county with more than fourteen thousand but  
185 fewer than fifteen thousand seven hundred inhabitants and  
186 with a county seat with more than four thousand five hundred  
187 fifty but fewer than four thousand nine hundred inhabitants;

188 (xx) Any county with more than four hundred thousand  
189 but fewer than five hundred thousand inhabitants;

190 (yy) Any county with more than twenty-two thousand but  
191 fewer than twenty-five thousand inhabitants and with a  
192 county seat with more than twelve thousand five hundred but  
193 fewer than sixteen thousand inhabitants that was formerly  
194 described by paragraph (h) of this subdivision where the  
195 question to impose the sales tax pursuant to this section  
196 was approved by a majority of the qualified voters of said  
197 public library district voting thereon prior to the issuance  
198 of the notice of change of classification by the state  
199 auditor pursuant to section 48.030.

200 (2) Any public library district listed in subdivision  
201 (1) of this subsection may, by a majority vote of its board  
202 of directors, impose a tax not to exceed one-half of one  
203 cent, or for any county with more than one hundred thousand  
204 but fewer than one hundred twenty thousand inhabitants and  
205 with a county seat with more than nine thousand but fewer  
206 than eleven thousand inhabitants or any county with more  
207 than fifty thousand but fewer than sixty thousand  
208 inhabitants and with a county seat with more than seventeen  
209 thousand but fewer than twenty-one thousand inhabitants, not  
210 to exceed one-third of one cent, on all retail sales subject  
211 to taxation under sections 144.010 to 144.525 for the  
212 purpose of funding the operation and maintenance of public  
213 libraries within the boundaries of such library district.  
214 If the library board approves placing the sales tax

215 authorized by this section on the ballot, then the county  
216 commission shall comply and place the measure before the  
217 voters. The tax authorized by this subsection shall be in  
218 addition to all other taxes allowed by law. No tax under  
219 this subsection shall become effective unless the board of  
220 directors submits to the voters of the district, at a county  
221 or state general, primary or special election, a proposal to  
222 authorize the tax, and such tax shall become effective only  
223 after the majority of the voters voting on such tax approve  
224 such tax.

225 2. (1) In the event the district seeks to impose a  
226 sales tax under this subsection, the question shall be  
227 submitted in substantially the following form:

228 Shall a \_\_\_\_\_ cent sales tax be levied on all  
229 retail sales within the district for the purpose  
230 of providing funding for \_\_\_\_\_ library district?

231  YES  NO

232 If a majority of the votes cast on the proposal by the  
233 qualified voters voting thereon are in favor of the  
234 proposal, then the tax shall become effective. If a  
235 majority of the votes cast by the qualified voters voting  
236 are opposed to the proposal, then the board of directors  
237 shall have no power to impose the tax unless and until  
238 another proposal to authorize the tax is submitted to the  
239 voters of the district and such proposal is approved by a  
240 majority of the qualified voters voting thereon. The  
241 provisions of sections 32.085 and 32.087 shall apply to any  
242 tax approved under this subsection.

243 (2) (a) For any district located in a county with  
244 more than four hundred thousand but fewer than five hundred  
245 thousand inhabitants, any sales tax imposed pursuant to this

246 section shall be in conjunction with a real and personal  
247 property tax reduction for each year in which the sales tax  
248 is imposed. The ballot of submission for such district  
249 shall contain, but need not be limited to, the following  
250 language:

251 Shall the library district impose a district-  
252 wide sales tax of (insert amount) and reduce  
253 its total real and personal property tax levy  
254 annually by one hundred percent of the total amount  
255 of sales tax revenue collected in the same tax year  
256 for the purpose of providing funding for  
257 library district?

258  YES  NO

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

262 If a majority of the votes cast on the proposal by the  
263 qualified voters voting thereon are in favor of the  
264 proposal, then the ordinance or order and any amendments  
265 thereto shall be in effect. If a majority of the votes cast  
266 by the qualified voters voting are opposed to the proposal,  
267 then the board of directors shall have no power to impose  
268 the sales tax and reduce the property tax as herein  
269 authorized unless and until the board of directors shall  
270 again have submitted another proposal to authorize board of  
271 directors to impose the sales tax and reduce the property  
272 tax under the provisions of this section and such proposal  
273 is approved by a majority of the qualified voters voting  
274 thereon.

275 (b) Each year in which a sales tax is imposed pursuant  
276 to this section, the board of directors shall, after  
277 determining its budget, within the limits set by the

278 constitution and laws of this state for the following  
279 calendar year and the total property tax levy needed to  
280 raise the revenues required by such budget, reduce that  
281 total real and personal property tax levy in an amount  
282 sufficient to decrease the total property taxes it will  
283 collect by an amount equal to one hundred percent of the  
284 sales tax revenue collected in the tax year for which the  
285 property taxes are being levied, provided that for the first  
286 three years following the adoption of the sales tax pursuant  
287 to this section, the reduction made pursuant to this  
288 subdivision shall be equal to thirty-three percent, sixty-  
289 six percent, and one hundred percent, respectively, of the  
290 sales tax revenue collected.

291 (3) For any district located in a county with more  
292 than one hundred thousand but fewer than one hundred twenty  
293 thousand inhabitants and with a county seat with more than  
294 nine thousand but fewer than eleven thousand inhabitants or  
295 any county with more than fifty thousand but fewer than  
296 sixty thousand inhabitants and with a county seat with more  
297 than seventeen thousand but fewer than twenty-one thousand  
298 inhabitants, any sales tax imposed pursuant to this section  
299 shall be in conjunction with the elimination of all real and  
300 personal property tax levies imposed by the district for  
301 each year in which the sales tax is imposed. The ballot of  
302 submission for such district shall contain, but need not be  
303 limited to, the following language:

304 Shall the \_\_\_\_\_ library district impose a district-  
305 wide sales tax of \_\_\_\_\_ (insert amount) and  
306 eliminate its total real and personal property tax  
307 levy for the purpose of providing funding for \_\_\_\_\_  
308 library district?

309  YES  NO

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

313 If a majority of the votes cast on the proposal by the  
314 qualified voters voting thereon are in favor of the  
315 proposal, then the ordinance or order and any amendments  
316 thereto shall be in effect. If a majority of the votes cast  
317 by the qualified voters voting are opposed to the proposal,  
318 then the board of directors shall have no power to impose  
319 the sales tax and eliminate the property tax as herein  
320 authorized unless and until the board of directors shall  
321 again have submitted another proposal to authorize board of  
322 directors to impose the sales tax and eliminate the property  
323 tax under the provisions of this section and such proposal  
324 is approved by a majority of the qualified voters voting  
325 thereon.

326 3. As used in this section, "qualified voters" or  
327 "voters" means any individuals residing within the district  
328 who are eligible to be registered voters and who have  
329 registered to vote under chapter 115, or, if no individuals  
330 are eligible and registered to vote reside within the  
331 proposed district, all of the owners of real property  
332 located within the proposed district who have unanimously  
333 petitioned for or consented to the adoption of an ordinance  
334 by the governing body imposing a tax authorized in this  
335 section. If the owner of the property within the proposed  
336 district is a political subdivision or corporation of the  
337 state, the governing body of such political subdivision or  
338 corporation shall be considered the owner for purposes of  
339 this section.

340 4. For purposes of this section the term "public  
341 library district" shall mean any city library district,

342 county library district, city-county library district,  
343 municipal library district, consolidated library district,  
344 or urban library district.

345 5. The provisions of section 1.100 shall apply to any  
346 sales tax approved by the voters of a public library  
347 district located in a county described in subsection 1 of  
348 this section. Once a library district located in such  
349 county has come under the operation of this section, a  
350 subsequent change in population or classification shall not  
351 remove that county from the operation of this section  
352 regardless of whether the county comes under the operation  
353 of this section after the effective date of this section.

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.]