

HCS HB 1094 -- COUNTY CONVENTION AUTHORITY

SPONSOR: Schwadron

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Local Government by a vote of 10 to 0.

The following is a summary of the House Committee Substitute for HB 1094.

This bill changes who appoints members to a county convention and sports facilities authority from the Governor with the advice and consent of the Senate, to the County Executive of the county in which the authority is created with the advice and consent of the county governing body, or the county governing body if there is no county executive.

The bill adds a third alternative choice for a county for the collection and administration of the tax charged for all sleeping rooms and transient guests of hotels and motels situated in the county. This alternative authorizes the county to enter into an agreement with the authority for the authority to collect the tax and perform all functions incident to the administration, collection, enforcement, and operation of the tax.

If the county collects the authorized tax, the tax for each calendar quarter is due on the first day of the next calendar quarter. The entity collecting the tax must collect a penalty of 1% per month and must collect interest of 2% per month on taxes that are not paid within 30 days of the last day of the quarter. Any penalty or interest will be calculated beginning on the original due date. The authority, in its discretion, may abate a portion of the penalty to facilitate the voluntary payment of the tax.

Lawsuits to enforce the collection and payment of the tax will be filed and prosecuted by the authority, and the authority must file a motion to recover as damages, litigation expenses, in addition to attorney's fee and court costs.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that these changes are necessary in order for the County Convention and Sports Facilities Authority to continue to operate under the law.

Testifying for the bill were Representative Schwadron; Robert

Guinness, and the St. Charles County Convention & Sports Facilities Authority.

OPPONENTS: Those who oppose the bill say that they prefer the additional oversight that comes with the Governor making the appointments with the advice and consent of the Senate. The changes from "may" to "shall" in regard to collecting penalties and asking for litigation expenses is problematic.

Testifying against the bill were Arnie C. Dienoff; and the Missouri Hotel Lodging Association.

OTHERS: Others testifying on the bill say they were curious about the bill.

Testifying on the bill was Kelli Zug.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.