

FIRST REGULAR SESSION

# HOUSE BILL NO. 1155

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE HOUGH.

2488H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 67.657, RSMo, and to enact in lieu thereof two new sections relating to bonding authority.

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

Section A. Section 67.657, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 33.542 and 67.657, to read as follows:

**33.542. Nothing in this chapter or any other section of law shall be construed to provide authority for the extension of existing bonds or any additional bonding authority to the executive branch without legislative or voter approval.**

67.657. 1. Nothing contained in sections 67.650 to 67.658 shall impair the powers of any county, municipality or other political subdivision to acquire, own, operate, develop or improve any facility of the type the authority is given the right and power to own, operate, develop or improve.

2. Any county, municipality or other political subdivision or public agency is authorized to make gifts, donations, grants and contributions of money or real or personal property to the authority, whether such money or property is derived from tax revenues or from any other source.

3. The state of Missouri or any agency, department or instrumentality thereof and the county, the city, or any political subdivision, public agency or public body, or any combination thereof pursuant to sections 70.210 to 70.325, or otherwise, are authorized to enter into contracts, agreements, leases and subleases with each other, the authority and others to acquire, sell, convey, lease, sublease, own, operate, finance, develop or improve, or any combination thereof, any facility of the type the authority is given the right to construct, own, operate, develop or improve, including without limitation to agree to pay rents or other fees or charges, subject to

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.

15 annual appropriations, and to mortgage, pledge, assign, convey, or grant security in any interest  
16 which any such entity may have in such facility.

17 4. In addition to any other tax imposed by law, and notwithstanding the provisions of  
18 subdivision (2) of subsection 5 of section 67.619, to the contrary, the governing body of the  
19 county may submit to the voters of the county a tax not to exceed three and one-half percent on  
20 the amount of sales or charges for all sleeping rooms paid by the transient guests of hotels and  
21 motels situated within the county involved, and doing business within such county for the  
22 purpose of funding a regional convention and sports complex authority and for other recreational  
23 and entertainment purposes. If the governing body so orders, the election officials of the county  
24 shall submit a proposition to the voters of such county at the next statewide or countywide  
25 election or at a special election called for that purpose, such special election to be held at the  
26 expense of the regional convention and sports complex authority. Such proposition shall be  
27 submitted to the voters in substantially the following form at such election:

28 Shall a sales tax of ..... percent on the amount of sales or charges for all rooms paid  
29 by the transient guests of hotels and motels be levied in the county of ..... to provide certain  
30 funds for the regional convention and sports complex authority and for general revenue  
31 purposes?

32  YES  NO

33 In the event that a majority of the voters voting on such proposition in such county at such  
34 election approve such proposition, then such sales tax shall be in full force and effect as of the  
35 first day of the calendar quarter following the calendar quarter in which the election was held.

36 5. On and after the effective day of any tax authorized under the provisions of subsection  
37 4 of this section, the governing body of the county may adopt one of the two following  
38 provisions for the collection and administration of the tax:

39 (1) The collector of revenue in such county may collect the tax pursuant to rules and  
40 regulations promulgated by the governing body of the county. The tax to be collected by the  
41 collector of revenue, less an amount not less than one percent and not more than three percent  
42 which may be retained for costs of collection, shall be remitted to the county and deposited in  
43 a special trust fund to be known as the "County Convention and Recreation Trust Fund" not later  
44 than thirty days following the end of each month;

45 (2) The governing body of the county may enter into an agreement with the director of  
46 revenue of the state of Missouri for the purpose of collecting the tax authorized in subsection 4  
47 of this section. In the event the governing body enters into an agreement with the director of  
48 revenue of the state of Missouri for the collection of the tax authorized in subsection 4 of this  
49 section, the director of revenue shall perform all functions incident to the administration,  
50 collection, enforcement, and operation of such tax, and the director of revenue shall collect such

51 additional tax. The tax shall be collected and reported upon such forms and under such  
52 administrative rules and regulations as may be prescribed by the director of revenue, and the  
53 director of revenue shall retain not less than one percent nor more than three percent for cost of  
54 collection and shall transfer all other moneys collected for such tax to the county for deposit in  
55 the county convention and recreation trust fund.

56 6. All funds deposited in the county convention and recreation trust fund shall, subject  
57 to annual appropriation, be disbursed by the county only for deposit in the regional convention  
58 and sports complex fund to pay the county's share of any rent, fees or charges payable pursuant  
59 to any contract, agreement, lease or sublease provided for in subsection 3 of this section;  
60 provided that in the event the county chooses to participate in a qualifying project and enters into  
61 any such contract, agreement, lease or sublease, then any funds in excess of its obligations  
62 hereunder which are deposited in the county convention and recreation trust fund in any year  
63 pursuant to subsection 4 of this section may be appropriated and disbursed by the county for  
64 general revenue purposes.

65 7. Notwithstanding any provision of subsection 6 of this section to the contrary, funds  
66 deposited in the county convention and recreation trust fund pursuant to subsection 5 of this  
67 section in excess of amounts payable as the county's share of any rent, fees or charges payable  
68 pursuant to any contract, agreement, lease or sublease provided for in subsection 3 of this  
69 section, including reasonable reserves for future payments of such amounts, shall not be  
70 appropriated or paid except for funding of the regional convention and sports complex authority  
71 or for regional convention and tourism purposes to the regional convention and visitors  
72 commission established by section 67.601 if it is providing management and operations services  
73 for a facility of the regional convention and sports complex authority of which the state of  
74 Missouri, the city, and St. Louis County are lessees pursuant to a contract, agreement or sublease  
75 with such lessees.

76 8. In addition to any other tax imposed by law, and notwithstanding the provisions of  
77 subdivision (1) of subsection 5 of section 67.619 to the contrary, the governing body of the city  
78 may repeal a present two-dollar license fee per occupied room levied in such city on hotels and  
79 motels and submit to the voters of the city a tax not to exceed three and one-half percent on the  
80 amount of sales or charges for all sleeping rooms paid by the transient guests of hotels and  
81 motels situated within the city involved, and doing business within such city for the purposes of  
82 funding debt service, lease payments or other expenses of an existing convention center,  
83 including any southern expansion thereof, of such city, a regional convention and sports complex  
84 authority or a regional convention and visitors commission or any combination thereof as herein  
85 provided. If the governing body so orders, the election officials of the city shall submit a  
86 proposition to the voters of such city at the next statewide or citywide election or at a special

87 election called for that purpose, such special election to be held at the expense of the city. Such  
88 proposition shall be submitted to the voters in substantially the following form at such election:

89         Shall the present two-dollar license fee per occupied room levied in the city of  
90 ..... on hotels and motels be repealed and a sales tax of ..... percent on the amount of  
91 sales or charges for all rooms paid by the transient guests of hotels and motels be levied in the  
92 city of ..... to provide funds for convention, tourism and sports facilities purposes and  
93 agencies?

94                                  YES                                  NO

95 In the event that a majority of the voters voting on such proposition in such city at such election  
96 approve such proposition, then such two-dollar license fee per occupied room shall be repealed  
97 and such sales tax shall be in full force and effect as of the first day of the calendar quarter  
98 following the calendar quarter in which the election was held.

99         9. On and after the effective date of any tax authorized under the provisions of  
100 subsection 8 of this section, the governing body of the city may adopt one of the two following  
101 provisions for the collection and administration of the tax:

102                 (1) The collector of revenue in such city may collect the tax pursuant to rules and  
103 regulations promulgated by the governing body of the city. The tax to be collected by the  
104 collector of revenue, less an amount not less than one percent and not more than three percent  
105 which may be retained for costs of collection, shall be remitted to the city and deposited in a  
106 special trust fund to be known as the "City Convention and Sports Facility Trust Fund" not later  
107 than thirty days following the end of each month;

108                 (2) The governing body of the city may enter into an agreement with the director of  
109 revenue of the state of Missouri for the purpose of collecting the tax authorized in subsection 8  
110 of this section. In the event the governing body enters into an agreement with the director of  
111 revenue of the state of Missouri for the collection of the tax authorized in subsection 8 of this  
112 section, the director of revenue shall perform all functions incident to the administration,  
113 collection, enforcement and operation of such tax, and the director of revenue shall collect such  
114 additional tax. The tax shall be collected and reported upon such forms and under such  
115 administrative rules and regulations as may be prescribed by the director of revenue, and the  
116 director of revenue shall retain not less than one percent nor more than three percent for cost of  
117 collection and shall transfer all other moneys collected for such tax to the city for deposit in the  
118 convention and sports facility trust fund.

119         10. All funds deposited in the city convention and sports facility trust fund shall, subject  
120 to annual appropriation, be disbursed by the city only for first, debt service, lease payments or  
121 other expenses related to an existing convention center, including any southern expansion  
122 thereof, of such city, second, to pay the city's share of any rent, fees or charges payable pursuant

123 to any lease provided for in subsection 3 of this section and third, the remainder, if any, annually  
124 to the regional convention and visitors commission established by section 67.601 if it is  
125 providing management and operations services for a facility of the regional convention and  
126 sports complex authority of which the state of Missouri, the city, and St. Louis County are  
127 lessees pursuant to a contract, agreement or sublease with such lessees.

128 **11. Nothing in this section shall be construed to provide authority for the extension**  
129 **of existing bonds or any additional bonding authority to the executive branch without**  
130 **legislative or voter approval.**

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