

FIRST REGULAR SESSION

HOUSE BILL NO. 445

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CRAWFORD.

0989H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 136.055, RSMo, and to enact in lieu thereof two new sections relating to the department of revenue technology fund.

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

Section A. Section 136.055, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 32.097 and 136.055, to read as follows:

2 **32.097. 1. All moneys received as a result of the administrative fee authorized**
3 **under subdivision (4) of subsection 1 of section 136.055 shall be deposited in the state**
4 **treasury to the credit of the "Department of Revenue Technology Fund", which is hereby**
5 **created. The state treasurer shall invest the moneys from the fund in the same manner as**
6 **other state funds are invested. Interest accruing to the fund shall be deposited in the fund**
7 **and shall not be transferred to the general revenue fund except as provided under this**
8 **section.**

9 **2. The funds in the department of revenue technology fund shall be appropriated**
10 **by the general assembly for expenses including, but not limited to, the procurement,**
11 **development, modernization, and maintenance of software, hardware, and equipment**
12 **related to computer systems that support the motor vehicle and driver licensing systems.**
13 **Before July 1, 2027, any unexpended balance in the department of revenue technology fund**
14 **at the end of the biennium not exceeding twenty-five million dollars is exempt from the**
15 **provisions under section 33.080, relating to the transfer of unexpended balances to the**
16 **general revenue fund. After June 30, 2027, any unexpended balance in the department of**
revenue technology fund at the end of the biennium not exceeding two million dollars is

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.

17 **exempt from the provisions under section 33.080, relating to the transfer of unexpended**
18 **balances to the general revenue fund.**

136.055. 1. Any person who is selected or appointed by the state director of revenue as
2 provided in subsection 2 of this section to act as an agent of the department of revenue, whose
3 duties shall be the processing of motor vehicle title and registration transactions and the
4 collection of sales and use taxes when required under sections 144.070 and 144.440, and who
5 receives no salary from the department of revenue, shall be authorized to collect from the party
6 requiring such services additional fees as compensation in full and for all services rendered on
7 the following basis:

8 (1) For each motor vehicle or trailer registration issued, renewed or transferred--three
9 dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant
10 to section 301.147;

11 (2) For each application or transfer of title--two dollars and fifty cents;

12 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's
13 license issued for a period of three years or less--two dollars and fifty cents and five dollars for
14 licenses or instruction permits issued or renewed for a period exceeding three years;

15 (4) For each notice of lien processed--two dollars and fifty cents. **In addition, a six**
16 **dollar and fifty cent administrative fee shall be collected and remitted as required under**
17 **section 32.097. The administrative fee authorized under this subdivision shall expire on**
18 **December 31, 2027, unless reauthorized;**

19 (5) No notary fee or other fee or additional charge shall be paid or collected except for
20 electronic telephone transmission reception--two dollars.

21 2. The director of revenue shall award fee office contracts under this section through a
22 competitive bidding process. The competitive bidding process shall give priority to
23 organizations and entities that are exempt from taxation under Section 501(c)(3), 501(c)(6), or
24 501(c)(4), except those civic organizations that would be considered action organizations under
25 26 C.F.R. Section 1.501(c)(3)-1(c)(3), of the Internal Revenue Code of 1986, as amended, with
26 special consideration given to those organizations and entities that reinvest a minimum of
27 seventy-five percent of the net proceeds to charitable organizations in Missouri, and political
28 subdivisions, including but not limited to, municipalities, counties, and fire protection districts.
29 The director of the department of revenue may promulgate rules and regulations necessary to
30 carry out the provisions of this subsection. Any rule or portion of a rule, as that term is defined
31 in section 536.010, that is created under the authority delegated in this subsection shall become
32 effective only if it complies with and is subject to all of the provisions of chapter 536 and, if
33 applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the
34 powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective

35 date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
36 rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be invalid
37 and void.

38 3. All fees collected by a tax-exempt organization may be retained and used by the
39 organization.

40 4. All fees charged shall not exceed those in this section. The fees imposed by this
41 section shall be collected by all permanent offices and all full-time or temporary offices
42 maintained by the department of revenue.

43 5. Any person acting as agent of the department of revenue for the sale and issuance of
44 registrations, licenses, and other documents related to motor vehicles shall have an insurable
45 interest in all license plates, licenses, tabs, forms and other documents held on behalf of the
46 department.

47 6. The fees authorized by this section shall not be collected by motor vehicle dealers
48 acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers
49 authorized to collect and remit sales tax under subsection 8 of section 144.070.

50 7. Notwithstanding any other provision of law to the contrary, the state auditor may audit
51 all records maintained and established by the fee office in the same manner as the auditor may
52 audit any agency of the state, and the department shall ensure that this audit requirement is a
53 necessary condition for the award of all fee office contracts. No confidential records shall be
54 divulged in such a way to reveal personally identifiable information.

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