

FIRST REGULAR SESSION

SENATE BILL NO. 223

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAYER.

Read 1st time February 7, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

0509S.02I

AN ACT

To repeal section 181.060, RSMo, and to enact in lieu thereof two new sections relating to public library district sales taxes.

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

Section A. Section 181.060, RSMo, is repealed and two new sections
2 enacted in lieu thereof, to be known as sections 181.060 and 182.802, to read as
3 follows:

181.060. 1. The general assembly may appropriate moneys for state aid
2 to public libraries, which moneys shall be administered by the state librarian,
3 and distributed as specified in rules and regulations promulgated by the Missouri
4 state library, and approved by the secretary of state.

5 2. At least fifty percent of the moneys appropriated for state aid to public
6 libraries shall be apportioned to all public libraries established and maintained
7 under the provisions of the library laws or other laws of the state relating to
8 libraries. The allocation of the moneys shall be based on an equal per capita rate
9 for the population of each city, village, town, township, urban public library
10 district, county or consolidated library district in which any library is or may be
11 established, in proportion to the population according to the latest federal census
12 of the cities, villages, towns, townships, school districts, county or regional library
13 districts maintaining public libraries primarily supported by public funds which
14 are designed to serve the general public. No grant shall be made to any public
15 library which is tax supported if the rate of tax levied or the appropriation for the
16 library should be decreased below the rate in force on December 31, 1946, or on
17 the date of its establishment. Grants shall be made to any public library if a
18 public library tax of at least ten cents per one hundred dollars assessed valuation

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

19 has been voted in accordance with sections 182.010 to 182.460, RSMo, or as
20 authorized in section 137.030, RSMo, and is duly assessed and levied for the year
21 preceding that in which the grant is made, or if the appropriation for the public
22 library in any city of first class yields one dollar or more per capita for the
23 previous year according to the population of the latest federal census or if the
24 amount provided by the city for the public library, in any other city in which the
25 library is not supported by a library tax, is at least equal to the amount of
26 revenue which would be realized by a tax of ten cents per one hundred dollars
27 assessed valuation if the library had been tax supported. Except that, no grant
28 under this section shall be affected because of a reduction in the rate of levy
29 which is required by the provisions of section 137.073, RSMo, **or because of a**
30 **voluntary reduction in the levy following the enactment of a district**
31 **sales tax under section 182.802, if the proceeds from the sales tax equal**
32 **or exceed the reduction in revenue from the levy.**

33 3. The librarian of the library together with the treasurer of the library
34 or the treasurer of the city if there is no library treasurer shall certify to the state
35 librarian the annual tax income and rate of tax or the appropriation for the
36 library on the date of the enactment of this law, and of the current year, and each
37 year thereafter, and the state librarian shall certify to the commissioner of
38 administration the amount to be paid to each library.

39 4. The balance of the moneys shall be administered and supervised by the
40 state librarian who may provide grants to public libraries for:

41 (1) Establishment, on a population basis to newly established city, county
42 city/county or consolidated libraries;

43 (2) Equalization to city/county[.], urban public, county or consolidated
44 libraries;

45 (3) Reciprocal borrowing;

46 (4) Technological development;

47 (5) Interlibrary cooperation;

48 (6) Literacy programs; and

49 (7) Other library projects or programs that may be determined by the local
50 library, library advisory committee and the state library staff that would improve
51 access to library services by the residents of this state. Newly established
52 libraries shall certify through the legally established board or the governing body
53 of the city supporting the library and the librarian of the library to the state
54 librarian the fact of establishment, the rate of tax, the assessed valuation of the

55 library district and the annual tax yield of the library. The state librarian shall
56 then certify to the commissioner of administration the amount of establishment
57 grant to be paid to the libraries and warrants shall be issued for the amount
58 allocated and approved. The sum appropriated for state aid to public libraries
59 shall be separate and apart from any and all appropriations made to the state
60 library.

182.802. 1. A public library district located at least partially
2 within any county of the third classification without a township form
3 of government and with more than forty thousand eight hundred but
4 fewer than forty thousand nine hundred inhabitants; any county of the
5 third classification without a township form of government and with
6 more than thirteen thousand five hundred but fewer than thirteen
7 thousand six hundred inhabitants; any county of the third classification
8 without a township form of government and with more than thirteen
9 thousand two hundred but fewer than thirteen thousand three hundred
10 inhabitants; any county of the third classification with a township form
11 of government and with more than twenty-nine thousand seven
12 hundred but fewer than twenty-nine thousand eight hundred
13 inhabitants; any county of the second classification with more than
14 nineteen thousand seven hundred but fewer than nineteen thousand
15 eight hundred inhabitants; any county of the third classification with
16 a township form of government and with more than thirty-three
17 thousand one hundred but fewer than thirty-three thousand two
18 hundred inhabitants; or any county of the third classification with a
19 township form of government and with more than thirty-three thousand
20 one hundred but fewer than thirty-three thousand two hundred
21 inhabitants may, by a majority vote of its board of directors, impose a
22 tax not to exceed one-half of one cent on all retail sales subject to
23 taxation under sections 144.010 to 144.525 for the purpose of funding
24 the operation and maintenance of public libraries within the
25 boundaries of such library district. The tax authorized by this
26 subsection shall be in addition to all other taxes allowed by law. No tax
27 under this subsection shall become effective unless the board of
28 directors submits to the voters of the district, at a county or state
29 general, primary or special election, a proposal to authorize the tax,
30 and such tax shall become effective only after the majority of the voters
31 voting on such tax approve such tax.

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

35 Shall a cent sales tax be levied on all retail sales within the
36 district for the purpose of providing funding for
37 library district?

38 YES NO

39 If a majority of the votes cast on the proposal by the qualified voters
40 voting thereon are in favor of the proposal, then the tax shall become
41 effective. If a majority of the votes cast by the qualified voters voting
42 are opposed to the proposal, then the board of directors shall have no
43 power to impose the tax unless and until another proposal to authorize
44 the tax is submitted to the voters of the district and such proposal is
45 approved by a majority of the qualified voters voting thereon. The
46 provisions of sections 32.085 and 32.087 shall apply to any tax approved
47 under this subsection.

48 3. As used in this section, "qualified voters" or "voters" means any
49 individuals residing within the district who are eligible to be registered
50 voters and who have registered to vote under chapter 115, or, if no
51 individuals are eligible and registered to vote reside within the
52 proposed district, all of the owners of real property located within the
53 proposed district who have unanimously petitioned for or consented to
54 the adoption of an ordinance by the governing body imposing a tax
55 authorized in this section. If the owner of the property within the
56 proposed district is a political subdivision or corporation of the state,
57 the governing body of such political subdivision or corporation shall be
58 considered the owner for purposes of this section.

59 4. For purposes of this section the term "public library district"
60 shall mean any city library district, county library district, city-county
61 library district, municipal library district, consolidated library district,
62 or urban library district.

