

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1564
102ND GENERAL ASSEMBLY

3506H.04C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 67.1003, 67.1009, 67.1018, 67.1360, 67.1367, 94.838, 94.900, and 205.971, RSMo, and to enact in lieu thereof twelve new sections relating to local taxation.

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

Section A. Sections 67.1003, 67.1009, 67.1018, 67.1360, 67.1367, 94.838, 94.900, 2 and 205.971, RSMo, are repealed and twelve new sections enacted in lieu thereof, to be 3 known as sections 67.597, 67.1003, 67.1009, 67.1013, 67.1018, 67.1360, 67.1367, 94.838, 4 94.900, 94.961, 94.1016, and 205.971, to read as follows:

67.597. 1. The governing body of a county with more than fifteen thousand 2 seven hundred but fewer than seventeen thousand six hundred inhabitants and with a 3 county seat with more than four thousand two hundred ten but fewer than six thousand 4 inhabitants may adopt an order or ordinance imposing a sales tax on all retail sales 5 made within the county that are subject to sales tax under chapter 144. The rate of such 6 tax shall not exceed one percent.

7 2. Such tax shall not become effective unless the governing body of the county 8 submits to the voters of the county, on any date available for elections for the county, a 9 proposal to authorize the governing body of the county to impose such tax. Such tax 10 shall be in addition to all other taxes imposed by law. Such tax shall be stated separately 11 from all other charges and taxes. The proceeds of such tax shall be used by the county 12 solely for the support of the operations of hospital services in such county.

13 3. The ballot of submission for such tax shall be in substantially the following 14 form: "Shall _____ (insert the county name) impose a sales tax at a rate of _____ 15 (insert percentage) percent for the support of the operations of hospital services?"

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.

16 **4. If a majority of the votes cast on the question by the qualified voters voting**
17 **thereon are in favor of the question, such tax shall become effective on the first day of**
18 **the second calendar quarter following the calendar quarter in which the election was**
19 **held. If a majority of the votes cast on the question by the qualified voters voting**
20 **thereon are opposed to the question, such tax shall not become effective unless and until**
21 **the question is resubmitted under this section to the qualified voters of the county and**
22 **such question is approved by a majority of the qualified voters of the county voting on**
23 **the question.**

24 **5. Except as modified in this section, all provisions of sections 32.085 and 32.087**
25 **shall apply to the tax imposed under this section.**

26 **6. All moneys collected under this section by the director of the department of**
27 **revenue on behalf of such county shall be deposited in a special trust fund, which is**
28 **hereby created and shall be known as the "County Hospital Operations Sales Tax**
29 **Fund", except that the director may deposit up to one percent for the cost of collection**
30 **in the state's general revenue fund. Moneys in the fund shall be used solely for the**
31 **designated purposes. Moneys in the fund shall not be deemed to be state moneys and**
32 **shall not be commingled with any moneys of the state. The director may make refunds**
33 **from the amounts in the fund and credited to the county for erroneous payments and**
34 **overpayments made and may redeem dishonored checks and drafts deposited to the**
35 **credit of such county. Any moneys in the special fund that are not needed for current**
36 **expenditures shall be invested in the same manner as other moneys are invested. Any**
37 **interest and moneys earned on such investments shall be credited to the fund.**

38 **7. The governing body of a county that has adopted such tax may submit the**
39 **question of repeal of the tax to the voters on any date available for elections for the**
40 **county. If a majority of the votes cast on the question by the qualified voters voting**
41 **thereon are in favor of the repeal, the repeal shall become effective on December thirty-**
42 **first of the calendar year in which such repeal was approved. If a majority of the votes**
43 **cast on the question by the qualified voters voting thereon are opposed to the repeal,**
44 **such tax shall remain effective until the question is resubmitted under this section to the**
45 **qualified voters and the repeal is approved by a majority of the qualified voters voting**
46 **on the question.**

47 **8. Whenever the governing body of a county that has adopted such tax receives a**
48 **petition, signed by a number of registered voters of the county equal to at least ten**
49 **percent of the number of registered voters of the county voting in the last gubernatorial**
50 **election, calling for an election to repeal such tax, the governing body shall submit to the**
51 **voters a proposal to repeal the tax. If a majority of the votes cast on the question by the**
52 **qualified voters voting thereon are in favor of the repeal, the repeal shall become**

53 **effective on December thirty-first of the calendar year in which such repeal was**
54 **approved. If a majority of the votes cast on the question by the qualified voters voting**
55 **thereon are opposed to the repeal, such tax shall remain effective until the question is**
56 **resubmitted under this section to the qualified voters and the repeal is approved by a**
57 **majority of the qualified voters voting on the question.**

58 **9. If such tax is repealed or terminated by any means, all moneys remaining in**
59 **the special trust fund shall continue to be used solely for the designated purposes. The**
60 **county shall notify the director of the department of revenue of the repeal or**
61 **termination at least ninety days before the effective date of the repeal or termination.**
62 **The director may order retention in the trust fund, for a period of one year, of two**
63 **percent of the amount collected after receipt of such notice to cover possible refunds or**
64 **overpayment of the tax and to redeem dishonored checks and drafts deposited to the**
65 **credit of such account. After one year has elapsed after the effective date of the repeal**
66 **or termination, the director shall remit the balance in the account to the county and**
67 **close the account of that county. The director shall notify such county of each instance**
68 **of any amount refunded or any check redeemed from receipts due the county.**

67.1003. 1. The governing body of the following cities and counties may impose a
2 tax as provided in this section:

3 (1) Any city or county having more than three hundred fifty hotel and motel rooms
4 inside such city or county;

5 (2) A county of the third classification with a population of more than seven thousand
6 but less than seven thousand four hundred inhabitants;

7 (3) A third class city with a population of greater than ten thousand but less than
8 eleven thousand located in a county of the third classification with a township form of
9 government with a population of more than thirty thousand;

10 (4) A county of the third classification with a township form of government with a
11 population of more than twenty thousand but less than twenty-one thousand;

12 (5) Any third class city with a population of more than eleven thousand but less than
13 thirteen thousand which is located in a county of the third classification with a population of
14 more than twenty-three thousand but less than twenty-six thousand;

15 (6) Any city of the third classification with more than ten thousand five hundred but
16 fewer than ten thousand six hundred inhabitants;

17 (7) Any city of the third classification with more than twenty-six thousand three
18 hundred but fewer than twenty-six thousand seven hundred inhabitants;

19 (8) Any city of the third classification with more than ten thousand eight hundred but
20 fewer than ten thousand nine hundred inhabitants and located in more than one county.

21 2. The governing body of any city or county listed in subsection 1 of this section may
22 impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or
23 motels situated in the city or county or a portion thereof, which shall be not more than five
24 percent per occupied room per night, except that such tax shall not become effective unless
25 the governing body of the city or county submits to the voters of the city or county at a state
26 general or primary election a proposal to authorize the governing body of the city or county to
27 impose a tax pursuant to this section. The tax authorized by this section shall be in addition to
28 the charge for the sleeping room and shall be in addition to any and all taxes imposed by law
29 and the proceeds of such tax shall be used by the city or county solely for the promotion of
30 tourism. Such tax shall be stated separately from all other charges and taxes.

31 3. Notwithstanding any other provision of law to the contrary, except as provided in
32 ~~[subsection]~~ **subsections 5 and 6** of this section, the tax authorized in subsection 1 of this
33 section shall not be imposed by the following cities or counties:

34 (1) Any city or county already imposing a tax solely on the charges for sleeping
35 rooms paid by the transient guests of hotels or motels situated in any such city or county
36 under any other law of this state;

37 (2) Any city not already imposing a tax under this section and that is located in whole
38 or partially within a county that already imposes a tax solely on the charges for sleeping
39 rooms paid by the transient guests of hotels or motels situated in such county under this
40 section or any other law of this state; or

41 (3) Any county not already imposing a tax under this section and that has a city
42 located in whole or in part within its boundaries that already imposes a tax solely on the
43 charges for sleeping rooms paid by the transient guests of hotels or motels situated in such
44 city under this section or any other law of this state.

45 4. Cities of the third class having more than two thousand five hundred hotel and
46 motel rooms, and located in a county of the first classification in which and where another tax
47 on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated
48 in such county is imposed, may impose the tax authorized by this section of not more than
49 one-half of one percent per occupied room per night.

50 5. The governing body of any city of the fourth classification with more than fifty-one
51 thousand inhabitants located in a county with a charter form of government and with more
52 than two hundred fifty thousand inhabitants which adjoins another county with a charter form
53 of government and with more than one million inhabitants may impose a tax on the charges
54 for all sleeping rooms paid by the transient guest of hotels or motels situated in such city or a
55 portion thereof, which tax shall be not more than two percent per occupied room per night,
56 except that such tax shall not become effective unless the governing body of such city
57 submits, after January 1, 2012, to the voters of that city, at an election permitted under section

58 115.123, a proposal to authorize the governing body of the city to impose a tax under this
59 section. The tax authorized by this section shall be in addition to any and all other taxes
60 imposed by law, and the proceeds of such tax shall be used by the city solely for the
61 promotion of tourism. Such tax shall be stated separately from all other charges and taxes.

62 **6. (1) The governing body of the following cities may impose a tax as provided in**
63 **this subsection:**

64 **(a) A city with more than four thousand nine hundred but fewer than five**
65 **thousand six hundred inhabitants and located in a county with more than four hundred**
66 **thousand but fewer than five hundred thousand inhabitants; or**

67 **(b) A city with more than five thousand six hundred but fewer than six thousand**
68 **three hundred inhabitants and located in a county with more than four hundred**
69 **thousand but fewer than five hundred thousand inhabitants.**

70 **(2) The governing body of any city listed in subdivision (1) of this subsection may**
71 **impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels**
72 **or motels situated in such city or a portion thereof. Such tax shall not exceed five**
73 **percent per occupied room per night. No such tax shall become effective unless the**
74 **governing body of such city submits, after January 1, 2025, to the voters of that city, at**
75 **an election permitted under section 115.123, a proposal to authorize the governing body**
76 **of the city to impose a tax under this section. The tax authorized by this section shall be**
77 **in addition to any and all other taxes imposed by law. Such tax shall be stated**
78 **separately from all other charges and taxes.**

79 **7. The ballot of submission for any tax authorized in this section shall be in**
80 **substantially the following form:**

81 Shall (insert the name of the city or county) impose a tax on the charges
82 for all sleeping rooms paid by the transient guests of hotels and motels
83 situated in (name of city or county) at a rate of (insert rate of percent)
84 percent for the sole purpose of promoting tourism?

85 Yes No

86

87 If a majority of the votes cast on the question by the qualified voters voting thereon are in
88 favor of the question, then the tax shall become effective on the first day of the second
89 calendar quarter following the calendar quarter in which the election was held. If a majority
90 of the votes cast on the question by the qualified voters voting thereon are opposed to the
91 question, then the tax shall not become effective unless and until the question is resubmitted
92 under this section to the qualified voters and such question is approved by a majority of the
93 qualified voters voting on the question.

94 [7-] 8. As used in this section, "transient guests" means a person or persons who
95 occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar
96 quarter.

97 [8-] 9. This section shall not be construed as repealing any taxes levied by any city or
98 county on transient guests as permitted under this chapter or chapter 94 as of August 28,
99 2011.

67.1009. 1. The governing body of the following cities may impose a tax as provided
2 in this section:

3 (1) Any city of the fourth classification with more than eight hundred thirty but fewer
4 than nine hundred inhabitants and located in any county with a charter form of government
5 and with more than nine hundred fifty thousand inhabitants;

6 (2) Any city of the fourth classification with more than four thousand fifty but fewer
7 than four thousand two hundred inhabitants and located in any county with a charter form of
8 government and with more than nine hundred fifty thousand inhabitants; or

9 (3) **Any city with more than two thousand seven hundred but fewer than three**
10 **thousand inhabitants and located in a county with more than fifty thousand but fewer**
11 **than sixty thousand inhabitants and with a county seat with more than seventeen**
12 **thousand but fewer than twenty-one thousand inhabitants.**

13 2. The governing body of any city listed in subsection 1 of this section may impose a
14 tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels
15 situated in the city, which shall be not more than six-tenths of one percent per occupied room
16 per night [~~except that~~] **for cities described under subdivision (1) or (2) of subsection 1 of**
17 **this section and not more than six percent per occupied room per night for cities**
18 **described under subdivision (3) of subsection 1 of this section.** Such tax shall not become
19 effective unless the governing body of the city or county submits to the voters of the city or
20 county at a state general or primary election a proposal to authorize the governing body of the
21 city to impose a tax pursuant to this section. The tax authorized by this section shall be in
22 addition to the charge for the sleeping room and shall be in addition to any and all taxes
23 imposed by law. Such tax shall be stated separately from all other charges and taxes. **For**
24 **cities described under subdivision (3) of subsection 1 of this section, the revenue of the**
25 **tax shall be used only for the purposes of promoting tourism, promoting economic**
26 **development, and promoting the retention and growth of any military base near the city.**

27 3. The ballot of submission for any tax authorized in this section shall be in
28 substantially the following form:

29 Shall (insert the name of the city) impose a tax on the charges for all
30 sleeping rooms paid by the transient guests of hotels and motels
31 situated in (name of city) at a rate of (insert **proposed** rate [~~of percent~~]

32 ~~up to six tenths of one percent~~)(for the purpose of promoting
 33 **tourism, promoting economic development, and promoting**
 34 **retention and growth of (insert name of military base))?**

35 Yes No

36

37 If a majority of the votes cast on the question by the qualified voters voting thereon are in
 38 favor of the question, then the tax shall become effective on the first day of the second
 39 calendar quarter following the calendar quarter in which the election was held. If a majority
 40 of the votes cast on the question by the qualified voters voting thereon are opposed to the
 41 question, then the tax shall not become effective unless and until the question is resubmitted
 42 under this section to the qualified voters and such question is approved by a majority of the
 43 qualified voters voting on the question.

44 4. As used in this section, "transient guests" means a person or persons who occupy a
 45 room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

**67.1013. 1. The governing body of the following cities may impose a tax as
 2 provided in this section:**

3 **(1) Any city with more than ten thousand but fewer than eleven thousand**
 4 **inhabitants and that is the county seat of a county with more than one hundred**
 5 **thousand but fewer than one hundred twenty thousand inhabitants; or**

6 **(2) Any city with more than fourteen thousand but fewer than sixteen thousand**
 7 **inhabitants and that is the county seat of a county with more than eighty thousand but**
 8 **fewer than one hundred thousand inhabitants.**

9 **2. The governing body of any city described in subsection 1 of this section may**
 10 **impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels**
 11 **or motels situated in the city or a portion thereof, which shall be not more than six**
 12 **percent per occupied room per night. Such tax shall not become effective unless the**
 13 **governing body of the city submits to the voters of the city at a state, municipal, general**
 14 **or primary election a proposal to authorize the governing body of the city to impose the**
 15 **tax under this section. The tax authorized by this section shall be in addition to the**
 16 **charge for the sleeping room and shall be in addition to any and all other taxes. The**
 17 **proceeds of such tax shall be used by the city solely for funding the promotion of**
 18 **tourism. Such tax shall be stated separately from all other charges and taxes.**

19 **3. (1) The question submitted for the tax authorized in this section shall be in**
 20 **substantially the following form: "Shall _____ (insert city name) impose a tax on the**
 21 **charges for all sleeping rooms paid by the transient guests of hotels and motels situated**

22 in _____ (insert city name) at a rate of _____ (insert percentage) percent, the proceeds
 23 of which shall be expended for the promotion of tourism?".

24 (2) If a majority of the votes cast on the question by the qualified voters voting
 25 thereon are in favor of the question, the tax shall become effective on the first day of the
 26 second calendar quarter following the calendar quarter in which the election was held.
 27 If a majority of the votes cast on the question by the qualified voters voting thereon are
 28 opposed to the question, the tax shall not become effective unless and until the question
 29 is resubmitted under this section to the qualified voters of the city and such question is
 30 approved by a majority of the qualified voters of the city voting on the question.

31 4. As used in this section, "transient guests" means a person or persons who
 32 occupy a room or rooms in a hotel or motel for thirty-one days or less during any
 33 calendar quarter.

67.1018. 1. The governing body of the following counties may impose a tax as
 2 provided in this section:

3 (1) Any county of the third classification without a township form of government and
 4 with more than five thousand nine hundred but fewer than six thousand inhabitants; or

5 (2) Any county with more than fifteen thousand seven hundred but fewer than
 6 seventeen thousand six hundred inhabitants and with a county seat with more than two
 7 thousand but fewer than three thousand inhabitants.

8 2. The governing body of any county listed in subsection 1 of this section may
 9 impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or
 10 motels situated in the county or a portion thereof, which shall not be more than five percent
 11 per occupied room per night, except that such tax shall not become effective unless the
 12 governing body of the county submits to the voters of the county at a state general or primary
 13 election a proposal to authorize the governing body of the county to impose a tax under this
 14 section. The tax authorized in this section shall be in addition to the charge for the sleeping
 15 room and all other taxes imposed by law, and fifty percent of the proceeds of such tax shall be
 16 used by the county to fund law enforcement with the remaining fifty percent of such proceeds
 17 to be used to fund the promotion of tourism. Such tax shall be stated separately from all other
 18 charges and taxes.

19 ~~2.]~~ 3. The ballot of submission for the tax authorized in this section shall be in
 20 substantially the following form:

21 Shall _____ (insert the name of the county) impose a tax on the
 22 charges for all sleeping rooms paid by the transient guests of hotels and
 23 motels situated in _____ (name of county) at a rate of _____ (insert
 24 rate of percent) percent for the benefit of the county?

25 Yes No

26

27 If a majority of the votes cast on the question by the qualified voters voting thereon are in
28 favor of the question, then the tax shall become effective on the first day of the second
29 calendar quarter following the calendar quarter in which the election was held. If a majority
30 of the votes cast on the question by the qualified voters voting thereon are opposed to the
31 question, then the tax authorized by this section shall not become effective unless and until
32 the question is resubmitted under this section to the qualified voters of the county and such
33 question is approved by a majority of the qualified voters of the county voting on the
34 question.

67.1360. 1. The governing body of the following cities and counties may impose a
2 tax as provided in this section:

3 (1) A city with a population of more than seven thousand and less than seven
4 thousand five hundred;

5 (2) A county with a population of over nine thousand six hundred and less than
6 twelve thousand which has a total assessed valuation of at least sixty-three million dollars, if
7 the county submits the issue to the voters of such county prior to January 1, 2003;

8 (3) A third class city which is the county seat of a county of the third classification
9 without a township form of government with a population of at least twenty-five thousand but
10 not more than thirty thousand inhabitants;

11 (4) Any fourth class city having, according to the last federal decennial census, a
12 population of more than one thousand eight hundred fifty inhabitants but less than one
13 thousand nine hundred fifty inhabitants in a county of the first classification with a charter
14 form of government and having a population of greater than six hundred thousand but less
15 than nine hundred thousand inhabitants;

16 (5) Any city having a population of more than three thousand but less than eight
17 thousand inhabitants in a county of the fourth classification having a population of greater
18 than forty-eight thousand inhabitants;

19 (6) Any city having a population of less than two hundred fifty inhabitants in a county
20 of the fourth classification having a population of greater than forty-eight thousand
21 inhabitants;

22 (7) Any fourth class city having a population of more than two thousand five hundred
23 but less than three thousand inhabitants in a county of the third classification having a
24 population of more than twenty-five thousand but less than twenty-seven thousand
25 inhabitants;

26 (8) Any third class city with a population of more than three thousand two hundred
27 but less than three thousand three hundred located in a county of the third classification
28 having a population of more than thirty-five thousand but less than thirty-six thousand;

29 (9) Any county of the second classification without a township form of government
30 and a population of less than thirty thousand;

31 (10) Any city of the fourth class in a county of the second classification without a
32 township form of government and a population of less than thirty thousand;

33 (11) Any county of the third classification with a township form of government and a
34 population of at least twenty-eight thousand but not more than thirty thousand;

35 (12) Any city of the fourth class with a population of more than one thousand eight
36 hundred but less than two thousand in a county of the third classification with a township
37 form of government and a population of at least twenty-eight thousand but not more than
38 thirty thousand;

39 (13) Any city of the third class with a population of more than seven thousand two
40 hundred but less than seven thousand five hundred within a county of the third classification
41 with a population of more than twenty-one thousand but less than twenty-three thousand;

42 (14) Any fourth class city having a population of more than two thousand eight
43 hundred but less than three thousand one hundred inhabitants in a county of the third
44 classification with a township form of government having a population of more than eight
45 thousand four hundred but less than nine thousand inhabitants;

46 (15) Any fourth class city with a population of more than four hundred seventy but
47 less than five hundred twenty inhabitants located in a county of the third classification with a
48 population of more than fifteen thousand nine hundred but less than sixteen thousand
49 inhabitants;

50 (16) Any third class city with a population of more than three thousand eight hundred
51 but less than four thousand inhabitants located in a county of the third classification with a
52 population of more than fifteen thousand nine hundred but less than sixteen thousand
53 inhabitants;

54 (17) Any fourth class city with a population of more than four thousand three hundred
55 but less than four thousand five hundred inhabitants located in a county of the third
56 classification without a township form of government with a population greater than sixteen
57 thousand but less than sixteen thousand two hundred inhabitants;

58 (18) Any fourth class city with a population of more than two thousand four hundred
59 but less than two thousand six hundred inhabitants located in a county of the first
60 classification without a charter form of government with a population of more than fifty-five
61 thousand but less than sixty thousand inhabitants;

62 (19) Any fourth class city with a population of more than two thousand five hundred
63 but less than two thousand six hundred inhabitants located in a county of the third
64 classification with a population of more than nineteen thousand one hundred but less than
65 nineteen thousand two hundred inhabitants;

66 (20) Any county of the third classification without a township form of government
67 with a population greater than sixteen thousand but less than sixteen thousand two hundred
68 inhabitants;

69 (21) Any county of the second classification with a population of more than forty-
70 four thousand but less than fifty thousand inhabitants;

71 (22) Any third class city with a population of more than nine thousand five hundred
72 but less than nine thousand seven hundred inhabitants located in a county of the first
73 classification without a charter form of government and with a population of more than one
74 hundred ninety-eight thousand but less than one hundred ninety-eight thousand two hundred
75 inhabitants;

76 (23) Any city of the fourth classification with more than five thousand two hundred
77 but less than five thousand three hundred inhabitants located in a county of the third
78 classification without a township form of government and with more than twenty-four
79 thousand five hundred but less than twenty-four thousand six hundred inhabitants;

80 (24) Any third class city with a population of more than nineteen thousand nine
81 hundred but less than twenty thousand in a county of the first classification without a charter
82 form of government and with a population of more than one hundred ninety-eight thousand
83 but less than one hundred ninety-eight thousand two hundred inhabitants;

84 (25) Any city of the fourth classification with more than two thousand six hundred
85 but less than two thousand seven hundred inhabitants located in any county of the third
86 classification without a township form of government and with more than fifteen thousand
87 three hundred but less than fifteen thousand four hundred inhabitants;

88 (26) Any county of the third classification without a township form of government
89 and with more than fourteen thousand nine hundred but less than fifteen thousand inhabitants;

90 (27) Any city of the fourth classification with more than five thousand four hundred
91 but fewer than five thousand five hundred inhabitants and located in more than one county;

92 (28) Any city of the fourth classification with more than six thousand three hundred
93 but fewer than six thousand five hundred inhabitants and located in more than one county
94 through the creation of a tourism district which may include, in addition to the geographic
95 area of such city, the area encompassed by the portion of the school district, located within a
96 county of the first classification with more than ninety-three thousand eight hundred but
97 fewer than ninety-three thousand nine hundred inhabitants, having an average daily
98 attendance for school year 2005-06 between one thousand eight hundred and one thousand
99 nine hundred;

100 (29) Any city of the fourth classification with more than seven thousand seven
101 hundred but less than seven thousand eight hundred inhabitants located in a county of the first

102 classification with more than ninety-three thousand eight hundred but less than ninety-three
103 thousand nine hundred inhabitants;

104 (30) Any city of the fourth classification with more than two thousand nine hundred
105 but less than three thousand inhabitants located in a county of the first classification with
106 more than seventy-three thousand seven hundred but less than seventy-three thousand eight
107 hundred inhabitants;

108 (31) Any city of the third classification with more than nine thousand three hundred
109 but less than nine thousand four hundred inhabitants;

110 (32) Any city of the fourth classification with more than three thousand eight hundred
111 but fewer than three thousand nine hundred inhabitants and located in any county of the first
112 classification with more than thirty-nine thousand seven hundred but fewer than thirty-nine
113 thousand eight hundred inhabitants;

114 (33) Any city of the fourth classification with more than one thousand eight hundred
115 but fewer than one thousand nine hundred inhabitants and located in any county of the first
116 classification with more than one hundred thirty-five thousand four hundred but fewer than
117 one hundred thirty-five thousand five hundred inhabitants;

118 (34) Any county of the third classification without a township form of government
119 and with more than twelve thousand one hundred but fewer than twelve thousand two
120 hundred inhabitants;

121 (35) Any city of the fourth classification with more than three thousand eight hundred
122 but fewer than four thousand inhabitants and located in more than one county; provided,
123 however, that motels owned by not-for-profit organizations are exempt;

124 (36) Any city of the fourth classification with more than five thousand but fewer than
125 five thousand five hundred inhabitants and located in any county with a charter form of
126 government and with more than two hundred thousand but fewer than three hundred fifty
127 thousand inhabitants; ~~or~~

128 (37) Any city with more than four thousand but fewer than five thousand five hundred
129 inhabitants and located in any county of the fourth classification with more than thirty
130 thousand but fewer than forty-two thousand inhabitants; **or**

131 **(38) Any city with more than five thousand six hundred but fewer than six**
132 **thousand three hundred inhabitants and that is the county seat of a county with more**
133 **than twenty-two thousand but fewer than twenty-five thousand inhabitants.**

134 2. The governing body of any city or county listed in subsection 1 of this section may
135 impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels,
136 motels, bed and breakfast inns, and campgrounds and any docking facility that rents slips to
137 recreational boats that are used by transients for sleeping, which shall be at least two percent
138 but not more than five percent per occupied room per night, except that such tax shall not

139 become effective unless the governing body of the city or county submits to the voters of the
140 city or county at a state general, primary, or special election, a proposal to authorize the
141 governing body of the city or county to impose a tax pursuant to the provisions of this section
142 and section 67.1362. The tax authorized by this section and section 67.1362 shall be in
143 addition to any charge paid to the owner or operator and shall be in addition to any and all
144 taxes imposed by law and the proceeds of such tax shall be used by the city or county solely
145 for funding the promotion of tourism. Such tax shall be stated separately from all other
146 charges and taxes.

67.1367. 1. **As used in this section, the following terms mean:**

2 (1) **"Lodging establishment", a hotel, motel, bed and breakfast inn, or other**
3 **similar establishment offering similar lodging accommodations;**

4 (2) **"Lodging facility", a short-term rental of a house, condominium,**
5 **campground cabin, or other similar facility offering similar lodging accommodations;**

6 (3) **"Transient guests", individuals who, for thirty-one days or less during any**
7 **calendar quarter, occupy a room or rooms in a lodging establishment or occupy a**
8 **lodging facility.**

9 2. (1) The governing body of [~~any county of the third classification without a~~
10 ~~township form of government and with more than eighteen thousand but fewer than twenty~~
11 ~~thousand inhabitants and with a city of the fourth classification with more than eight thousand~~
12 ~~but fewer than nine thousand inhabitants as the county seat]~~ **the following counties may**
13 **impose a tax as provided in this section:**

14 (a) **Any county with more than seventeen thousand six hundred but fewer than**
15 **nineteen thousand inhabitants and with a county seat with more than eight thousand**
16 **but fewer than ten thousand inhabitants; or**

17 (b) **Any county with more than seventeen thousand six hundred but fewer than**
18 **nineteen thousand inhabitants and with a county seat with more than four thousand but**
19 **fewer than five thousand fifty inhabitants.**

20 (2) (a) **The governing body of any county listed in subdivision (1) of this**
21 **subsection may impose a tax on the charges for all lodging establishment sleeping rooms**
22 **paid by the transient guests of [hotels or motels] lodging establishments and on the charges**
23 **for all lodging facilities paid by transient guests who occupy such lodging facilities that**
24 **are situated in the county or a portion thereof[; which].**

25 (b) **Such tax shall be no more than six percent per occupied lodging establishment**
26 **sleeping room per night or six percent per rental term of such lodging facility, except that**
27 **such tax shall not become effective unless the governing body of the county submits to the**
28 **voters of the county at a state general or primary election[;] a proposal to authorize the**
29 **governing body of the county to impose a tax pursuant to this section.**

30 (c) The tax authorized by this section shall be in addition to the charge for the **lodging**
 31 **establishment** sleeping room **or lodging facility** and shall be in addition to any and all **other**
 32 taxes imposed by law ~~[and]~~.

33 (d) The proceeds of such tax shall be used by the county solely for the promotion of
 34 tourism.

35 (e) Such tax shall be stated separately from all other charges and taxes.

36 ~~[2-]~~ **3.** The ballot of submission for the tax authorized in this section shall be in
 37 substantially the following form:

38 Shall _____ (insert the name of the county) impose a tax on the
 39 charges for all sleeping rooms **and on the charges for all short-term**
 40 **rentals** paid by the transient guests of ~~[hotels and motels]~~ **lodging**
 41 **establishments and lodging facilities** situated in _____ (name of
 42 county) at a rate of _____ (insert rate of percent) percent for the sole
 43 purpose of promoting tourism?

44 Yes No

45 ~~[3. As used in this section, "transient guests" means a person or persons who occupy a~~
 46 ~~room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.]~~

47 **4. If a majority of the votes cast on the question by the qualified voters voting**
 48 **thereon are in favor of the question, the tax shall become effective on the first day of the**
 49 **second calendar quarter following the calendar quarter in which the election was held.**
 50 **If a majority of the votes cast on the question by the qualified voters voting thereon are**
 51 **opposed to the question, the tax authorized by this section shall not become effective**
 52 **unless and until the question is resubmitted under this section to the qualified voters of**
 53 **the county and such question is approved by a majority of the qualified voters of the**
 54 **county voting on the question.**

55 **5. Any county that imposed a tax under this section before August 28, 2024, may**
 56 **impose such tax upon the charges for all lodging establishment sleeping rooms paid by**
 57 **the transient guests of lodging establishments and on the charges for all lodging facilities**
 58 **paid by transient guests who occupy such lodging facilities under this section without**
 59 **requiring a separate vote authorizing the imposition of such tax upon such lodging**
 60 **establishment or lodging facility charges.**

94.838. 1. As used in this section, the following terms mean:

2 (1) "Food", all articles commonly used for food or drink, including alcoholic
 3 beverages, the provisions of chapter 311 notwithstanding;

4 (2) "Food establishment", any cafe, cafeteria, lunchroom, or restaurant which sells
 5 food at retail;

6 (3) "Municipality", any ~~[village or fourth class city with more than two hundred but~~
 7 ~~less than three hundred inhabitants and located in any county of the third classification with a~~
 8 ~~township form of government and with more than twelve thousand five hundred but less than~~
 9 ~~twelve thousand six hundred inhabitants]~~ **city with more than one hundred sixty-five but**
 10 **fewer than one hundred eighty-five inhabitants and located in a county with more than**
 11 **eleven thousand but fewer than twelve thousand five hundred inhabitants and with a**
 12 **county seat with more than four thousand but fewer than five thousand inhabitants;**

13 (4) "Transient guest", a person or persons who occupy a room or rooms in a hotel or
 14 motel for thirty-one days or less during any calendar quarter.

15 2. (1) The governing body of any municipality may impose, by order or ordinance:
 16 ~~[(4)]~~ (a) A tax, not to exceed six percent per room per night, on the charges for all
 17 sleeping rooms paid by the transient guests of hotels or motels situated in the municipality or
 18 a portion thereof; and

19 ~~[(2)]~~ (b) A tax, not to exceed two percent, on the gross receipts derived from the retail
 20 sales of food by every person operating a food establishment in the municipality.

21 (2) The taxes shall be imposed ~~[solely]~~ for the ~~[purpose]~~ **purposes** of funding the
 22 construction, maintenance, and operation of capital improvements, **emergency services, and**
 23 **public safety**. The order or ordinance shall not become effective unless the governing body
 24 of the municipality submits to the voters of the municipality at a state general or primary
 25 election a proposal to authorize the governing body of the municipality to impose taxes under
 26 this section. The taxes authorized in this section shall be in addition to the charge for the
 27 sleeping room, the retail sales of food at a food establishment, and all other taxes imposed by
 28 law, and shall be stated separately from all other charges and taxes.

29 3. The ballot of submission for the taxes authorized in this section shall be in
 30 substantially the following form:

31 Shall _____ (insert the name of the municipality) impose a tax on the
 32 charges for all retail sales of food at a food establishment situated in ___
 33 _____ (name of municipality) at a rate of _____ (insert rate of percent)
 34 percent, and for all sleeping rooms paid by the transient guests of
 35 hotels and motels situated in _____ (name of municipality) at a rate of
 36 _____ (insert rate of percent) percent, ~~[solely]~~ for the ~~[purpose]~~
 37 **purposes** of funding the construction, maintenance, and operation of
 38 capital improvements, **emergency services, and public safety?**

39 Yes No

40

41 If a majority of the votes cast on the question by the qualified voters voting thereon are in
 42 favor of the question, then the taxes shall become effective on the first day of the second

43 calendar quarter after the director of revenue receives notice of the adoption of the taxes. If a
 44 majority of the votes cast on the question by the qualified voters voting thereon are opposed
 45 to the question, then the taxes shall not become effective unless and until the question is
 46 resubmitted under this section to the qualified voters and such question is approved by a
 47 majority of the qualified voters voting on the question.

48 4. Any tax on the retail sales of food imposed under this section shall be administered,
 49 collected, enforced, and operated as required in section 32.087, and any transient guest tax
 50 imposed under this section shall be administered, collected, enforced, and operated by the
 51 municipality imposing the tax. All revenue generated by the tax shall be deposited in a
 52 special trust fund and shall be used solely for the designated purposes. If the tax is repealed,
 53 all funds remaining in the special trust fund shall continue to be used solely for the designated
 54 purposes. Any funds in the special trust fund which are not needed for current expenditures
 55 may be invested in the same manner as other funds are invested. Any interest and moneys
 56 earned on such investments shall be credited to the fund.

57 5. Once the initial bonds, if any, have been satisfied, then the governing body of any
 58 municipality that has adopted the taxes authorized in this section may submit the question of
 59 repeal of the taxes to the voters on any date available for elections for the municipality. The
 60 ballot of submission shall be in substantially the following form:

61 Shall _____ (insert the name of the municipality) repeal the taxes
 62 imposed at the rates of _____ (insert rate of percent) and _____
 63 (insert rate of percent) percent for the ~~[purpose]~~ **purposes** of funding
 64 the construction, maintenance, and operation of capital improvements,
 65 **emergency services, and public safety?**

66 Yes No

67

68 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become
 69 effective on December thirty-first of the calendar year in which such repeal was approved. If
 70 a majority of the votes cast on the question by the qualified voters voting thereon are opposed
 71 to the repeal, then the tax authorized in this section shall remain effective until the question is
 72 resubmitted under this section to the qualified voters, and the repeal is approved by a majority
 73 of the qualified voters voting on the question.

74 6. Once the initial bonds, if any, have been satisfied, then, whenever the governing
 75 body of any municipality that has adopted the taxes authorized in this section receives a
 76 petition, signed by ten percent of the registered voters of the municipality voting in the last
 77 gubernatorial election, calling for an election to repeal the taxes imposed under this section,
 78 the governing body shall submit to the voters of the municipality a proposal to repeal the
 79 taxes. If a majority of the votes cast on the question by the qualified voters voting thereon are

80 in favor of the repeal, that repeal shall become effective on December thirty-first of the
81 calendar year in which such repeal was approved. If a majority of the votes cast on the
82 question by the qualified voters voting thereon are opposed to the repeal, then the tax shall
83 remain effective until the question is resubmitted under this section to the qualified voters and
84 the repeal is approved by a majority of the qualified voters voting on the question.

94.900. 1. (1) The governing body of the following cities may impose a tax as
2 provided in this section:

3 (a) Any city of the third classification with more than ten thousand eight hundred but
4 less than ten thousand nine hundred inhabitants located at least partly within a county of the
5 first classification with more than one hundred eighty-four thousand but less than one
6 hundred eighty-eight thousand inhabitants;

7 (b) Any city of the fourth classification with more than four thousand five hundred
8 but fewer than five thousand inhabitants;

9 (c) Any city of the fourth classification with more than eight thousand nine hundred
10 but fewer than nine thousand inhabitants;

11 (d) Any home rule city with more than forty-eight thousand but fewer than forty-nine
12 thousand inhabitants;

13 (e) Any home rule city with more than seventy-three thousand but fewer than
14 seventy-five thousand inhabitants;

15 (f) Any city of the fourth classification with more than thirteen thousand five hundred
16 but fewer than sixteen thousand inhabitants;

17 (g) Any city of the fourth classification with more than seven thousand but fewer than
18 eight thousand inhabitants;

19 (h) Any city of the fourth classification with more than four thousand but fewer than
20 four thousand five hundred inhabitants and located in any county of the first classification
21 with more than one hundred fifty thousand but fewer than two hundred thousand inhabitants;

22 (i) Any city of the third classification with more than thirteen thousand but fewer than
23 fifteen thousand inhabitants and located in any county of the third classification without a
24 township form of government and with more than thirty-three thousand but fewer than thirty-
25 seven thousand inhabitants;

26 (j) Any city of the fourth classification with more than three thousand but fewer than
27 three thousand three hundred inhabitants and located in any county of the third classification
28 without a township form of government and with more than eighteen thousand but fewer than
29 twenty thousand inhabitants and that is not the county seat of such county;

30 (k) Any city with more than ten thousand but fewer than eleven thousand inhabitants
31 and partially located in a county with more than two hundred thirty thousand but fewer than
32 two hundred sixty thousand inhabitants;

33 (l) Any city with more than four thousand nine hundred but fewer than five thousand
 34 six hundred inhabitants and located in a county with more than thirty thousand but fewer than
 35 thirty-five thousand inhabitants; [~~or~~]

36 (m) Any city with more than twelve thousand five hundred but fewer than fourteen
 37 thousand inhabitants and that is the county seat of a county with more than twenty-two
 38 thousand but fewer than twenty-five thousand inhabitants;

39 **(n) Any city with more than fifty-one thousand but fewer than fifty-eight**
 40 **thousand inhabitants and located in more than one county;**

41 **(o) Any city with more than sixteen thousand but fewer than eighteen thousand**
 42 **inhabitants and located in more than one county;**

43 **(p) Any city with more than twelve thousand five hundred but fewer than**
 44 **fourteen thousand inhabitants and located in a county with more than twenty-two**
 45 **thousand but fewer than twenty-five thousand inhabitants and with a county seat with**
 46 **more than nine hundred but fewer than one thousand four hundred inhabitants; or**

47 **(q) Any city with more than five thousand six hundred but fewer than six**
 48 **thousand three hundred inhabitants and that is the county seat of a county with more**
 49 **than twenty-two thousand but fewer than twenty-five thousand inhabitants.**

50 (2) The governing body of any city listed in subdivision (1) of this subsection is
 51 hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half
 52 of one percent on all retail sales made in such city which are subject to taxation under the
 53 provisions of sections 144.010 to 144.525 for the purpose of improving the public safety for
 54 such city, which shall be limited to expenditures on equipment, salaries and benefits, and
 55 facilities for police, fire and emergency medical providers. The tax authorized by this section
 56 shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or
 57 order imposing a sales tax pursuant to the provisions of this section shall be effective unless
 58 the governing body of the city submits to the voters of the city, at a county or state general,
 59 primary or special election, a proposal to authorize the governing body of the city to impose a
 60 tax.

61 2. If the proposal submitted involves only authorization to impose the tax authorized
 62 by this section, the ballot of submission shall contain, but need not be limited to, the
 63 following language:

64 Shall the city of _____ (city's name) impose a citywide sales
 65 tax of _____ (insert amount) for the purpose of improving
 66 the public safety of the city?

67 YES

NO

68 If you are in favor of the question, place an "X" in the box
69 opposite "YES". If you are opposed to the question, place an "X"
70 in the box opposite "NO".

71

72 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in
73 favor of the proposal submitted pursuant to this subsection, then the ordinance or order and
74 any amendments thereto shall be in effect on the first day of the second calendar quarter after
75 the director of revenue receives notification of adoption of the local sales tax. If a proposal
76 receives less than the required majority, then the governing body of the city shall have no
77 power to impose the sales tax herein authorized unless and until the governing body of the
78 city shall again have submitted another proposal to authorize the governing body of the city to
79 impose the sales tax authorized by this section and such proposal is approved by the required
80 majority of the qualified voters voting thereon. However, in no event shall a proposal
81 pursuant to this section be submitted to the voters sooner than twelve months from the date of
82 the last proposal pursuant to this section.

83 3. All revenue received by a city from the tax authorized under the provisions of this
84 section shall be deposited in a special trust fund and shall be used solely for improving the
85 public safety for such city for so long as the tax shall remain in effect.

86 4. Once the tax authorized by this section is abolished or is terminated by any means,
87 all funds remaining in the special trust fund shall be used solely for improving the public
88 safety for the city. Any funds in such special trust fund which are not needed for current
89 expenditures may be invested by the governing body in accordance with applicable laws
90 relating to the investment of other city funds.

91 5. All sales taxes collected by the director of the department of revenue under this
92 section on behalf of any city, less one percent for cost of collection which shall be deposited
93 in the state's general revenue fund after payment of premiums for surety bonds as provided in
94 section 32.087, shall be deposited in a special trust fund, which is hereby created, to be
95 known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall
96 not be deemed to be state funds and shall not be commingled with any funds of the state. The
97 provisions of section 33.080 to the contrary notwithstanding, money in this fund shall not be
98 transferred and placed to the credit of the general revenue fund. The director of the
99 department of revenue shall keep accurate records of the amount of money in the trust and
100 which was collected in each city imposing a sales tax pursuant to this section, and the records
101 shall be open to the inspection of officers of the city and the public. Not later than the tenth
102 day of each month the director of the department of revenue shall distribute all moneys
103 deposited in the trust fund during the preceding month to the city which levied the tax; such

104 funds shall be deposited with the city treasurer of each such city, and all expenditures of funds
105 arising from the trust fund shall be by an appropriation act to be enacted by the governing
106 body of each such city. Expenditures may be made from the fund for any functions
107 authorized in the ordinance or order adopted by the governing body submitting the tax to the
108 voters.

109 6. The director of the department of revenue may make refunds from the amounts in
110 the trust fund and credited to any city for erroneous payments and overpayments made, and
111 may redeem dishonored checks and drafts deposited to the credit of such cities. If any city
112 abolishes the tax, the city shall notify the director of the department of revenue of the action at
113 least ninety days prior to the effective date of the repeal and the director of the department of
114 revenue may order retention in the trust fund, for a period of one year, of two percent of the
115 amount collected after receipt of such notice to cover possible refunds or overpayment of the
116 tax and to redeem dishonored checks and drafts deposited to the credit of such accounts.
117 After one year has elapsed after the effective date of abolition of the tax in such city, the
118 director of the department of revenue shall remit the balance in the account to the city and
119 close the account of that city. The director of the department of revenue shall notify each city
120 of each instance of any amount refunded or any check redeemed from receipts due the city.

121 7. Except as modified in this section, all provisions of sections 32.085 and 32.087
122 shall apply to the tax imposed pursuant to this section.

123 8. If any city in subsection 1 of this section enacts the tax authorized in this section,
124 the city shall budget an amount to public safety that is no less than the amount budgeted in the
125 year immediately preceding the enactment of the tax. The revenue from the tax shall
126 supplement and not replace amounts budgeted by the city.

**94.961. 1. The governing body of a city with more than forty thousand but fewer
2 than forty-six thousand inhabitants and located in a county with more than four
3 hundred thousand but fewer than five hundred thousand inhabitants may impose a tax
4 on the charges for all sleeping rooms paid by the transient guests of hotels or motels
5 situated in the city or a portion thereof, which shall be at least two percent but not more
6 than five percent per occupied room per night, except that such tax shall not become
7 effective unless the governing body of the city submits to the voters of the city at a state
8 general or primary election a proposal to authorize the governing body of the city to
9 impose a tax under this section. The tax authorized in this section shall be in addition to
10 the charge for the sleeping room and all other taxes imposed by law. The proceeds of
11 such tax shall be used by the city for general revenue purposes. Such tax shall be stated
12 separately from all other charges and taxes.**

13 2. The ballot of submission for the tax authorized in this section shall be in
14 substantially the following form: "Shall _____ (insert the name of the city) impose a

15 tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels
16 situated in _____ (name of city) at a rate of _____ (insert rate of percent) percent for
17 general revenue purposes?".

18 3. If a majority of the votes cast on the question by the qualified voters voting
19 thereon are in favor of the question, then the tax shall become effective on the first day
20 of the second calendar quarter following the calendar quarter in which the election was
21 held. If a majority of the votes cast on the question by the qualified voters voting
22 thereon are opposed to the question, then the tax authorized by this section shall not
23 become effective unless and until the question is resubmitted under this section to the
24 qualified voters of the city and such question is approved by a majority of the qualified
25 voters of the city voting on the question.

26 4. As used in this section, "transient guests" means persons who occupy a room
27 or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

94.1016. 1. As used in this section, the following terms mean:

2 (1) "Lodging establishment", a hotel, motel, bed and breakfast inn, or other
3 similar establishment offering similar lodging accommodations;

4 (2) "Lodging facility", a short-term rental of a house, condominium, or other
5 similar facility offering similar lodging accommodations;

6 (3) "Transient guests", individuals who, for thirty-one days or less during any
7 calendar quarter, occupy a room or rooms in a lodging establishment or occupy a
8 lodging facility.

9 2. (1) The governing body of a village with more than fifty-two but fewer than
10 sixty-one inhabitants and located in a county with more than twenty-two thousand but
11 fewer than twenty-five thousand inhabitants and with a county seat with more than
12 twelve thousand five hundred but fewer than sixteen thousand inhabitants may impose
13 a tax on the charges for all lodging establishment sleeping rooms paid by the transient
14 guests of lodging establishments and on the charges for all lodging facilities paid by
15 transient guests who occupy such lodging facilities that are situated in the village or a
16 portion thereof.

17 (2) Such tax shall not be more than six percent per occupied lodging
18 establishment room per night or six percent per rental term of such lodging facility. The
19 tax authorized in this section shall be in addition to the charge for the lodging
20 establishment sleeping room or lodging facility and all other taxes imposed by law. Such
21 tax shall be stated separately from all other charges and taxes.

22 (3) The proceeds of such tax shall be used by the village for economic
23 development purposes and the construction and maintenance of infrastructure
24 improvements.

25 **3. (1) Such tax shall not become effective unless the governing body of the**
26 **village submits to the voters of the village at a state general or primary election a**
27 **proposal to authorize the governing body of the village to impose a tax under this**
28 **section.**

29 **(2) The ballot of submission for the tax authorized in this section shall be in**
30 **substantially the following form: "Shall _____ (insert the name of the village) impose a**
31 **tax on the charges for all sleeping rooms and on the charges for all short-term rentals**
32 **paid by the transient guests of lodging establishments and lodging facilities situated in _**
33 **_____ (name of village) at a rate of _____ (insert percentage) percent for economic**
34 **development purposes and the construction and maintenance of infrastructure**
35 **improvements?".**

36 **(3) If a majority of the votes cast on the question by the qualified voters voting**
37 **thereon are in favor of the question, then the tax shall become effective on the first day**
38 **of the second calendar quarter following the calendar quarter in which the election was**
39 **held. If a majority of the votes cast on the question by the qualified voters voting**
40 **thereon are opposed to the question, then the tax authorized by this section shall not**
41 **become effective unless and until the question is resubmitted under this section to the**
42 **qualified voters of the village and such question is approved by a majority of the**
43 **qualified voters of the village voting on the question.**

205.971. 1. The board of aldermen or other governing body of a city not within a
2 county and the county commission or other governing body of the county, except for a county
3 of the first classification having a charter form of government containing in part a city with a
4 population of more than three hundred fifty thousand inhabitants, or a county of the first
5 classification having a charter form of government with a population of at least nine hundred
6 thousand inhabitants may, upon approval of a majority of the qualified voters of such city or
7 county thereon, levy and collect a tax not to exceed four mills per dollar of assessed valuation
8 upon all taxable property within the city or county for the purpose of establishing and
9 maintaining the county sheltered workshop, residence, facility and/or related services. The
10 county commission or other governing body of a county of the first classification having a
11 charter form of government containing in whole or part a city with a population of more than
12 three hundred fifty thousand inhabitants, or a county of the first classification having a charter
13 form of government with a population of at least nine hundred thousand inhabitants may,
14 upon approval of a majority of the qualified voters of such county or city voting thereon, levy
15 and collect a tax not to exceed two mills per dollar of assessed valuation upon all taxable
16 property within such county or city for the purpose of establishing and maintaining the county
17 or city sheltered workshop, residence, facility and/or related services. The tax so levied shall

18 be collected along with other county taxes, or in the case of a city not within a county, with
19 other city taxes, in the manner provided by law.

20 **2. All funds collected for [~~this~~] the purpose of establishing and maintaining the**
21 **county or city sheltered workshop, residence, facility, related services, or any**
22 **combination thereof shall be deposited in a special fund and shall be used for no other**
23 **purpose.**

24 **3. Deposits in the fund shall be expended only upon approval of the board as follows:**

25 **(1) Board-approved expenditures shall include funds for the operations and**
26 **maintenance of sheltered workshops that are compliant with board funding request**
27 **requirements;**

28 **(2) No board of directors, as established under section 205.968, shall require**
29 **additional certifications or requirements for a compliant and credentialed applicant**
30 **that are contrary to, or not currently required by, rules and standards developed and**
31 **adopted by the department of elementary and secondary education for the operation of**
32 **a sheltered workshop; and**

33 **(3) This section shall not be construed to prohibit board expenditures from being**
34 **used for the purposes of residence, facility, related services, or any combination thereof**
35 **in addition to using board expenditures for the establishment or maintenance of the**
36 **county or city sheltered workshop.**

✓