

SECOND REGULAR SESSION

HOUSE BILL NO. 2376

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHAWAN.

5236H.021

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 205.202, RSMo, and to enact in lieu thereof one new section relating to the closure of county hospital districts.

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

Section A. Section 205.202, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 205.202, to read as follows:

205.202. 1. The governing body of any hospital district established under sections 205.160 to 205.379 in any county of the third classification without a township form of government and with more than thirteen thousand five hundred but fewer than thirteen thousand six hundred inhabitants may, by resolution, abolish the property tax levied in such district under this chapter and impose a sales tax on all retail sales made within the district which are subject to sales tax under chapter 144. The tax authorized in this section shall be not more than one percent, and shall be imposed solely for the purpose of funding the hospital district. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.

2. No such resolution adopted under this section shall become effective unless the governing body of the hospital district submits to the voters residing within the district at a state general, primary, or special election a proposal to authorize the governing body of the district to impose a tax under this section. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the

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.

18 question is resubmitted under this section to the qualified voters and such question is approved
19 by a majority of the qualified voters voting on the question.

20 3. All revenue collected under this section by the director of the department of revenue
21 on behalf of the hospital district, except for one percent for the cost of collection which shall be
22 deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is
23 hereby created and shall be known as the "Hospital District Sales Tax Fund", and shall be used
24 solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds,
25 and shall not be commingled with any funds of the state. The director may make refunds from
26 the amounts in the fund and credited to the district for erroneous payments and overpayments
27 made, and may redeem dishonored checks and drafts deposited to the credit of such district. Any
28 funds in the special fund which are not needed for current expenditures shall be invested in the
29 same manner as other funds are invested. Any interest and moneys earned on such investments
30 shall be credited to the fund.

31 4. The governing body of any hospital district that has adopted the sales tax authorized
32 in this section may submit the question of repeal of the tax to the voters on any date available for
33 elections for the district. If a majority of the votes cast on the question by the qualified voters
34 voting thereon are in favor of the repeal, that repeal shall become effective on December
35 thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast
36 on the question by the qualified voters voting thereon are opposed to the repeal, then the sales
37 tax authorized in this section shall remain effective until the question is resubmitted under this
38 section to the qualified voters and the repeal is approved by a majority of the qualified voters
39 voting on the question.

40 5. Whenever the governing body of any hospital district that has adopted the sales tax
41 authorized in this section receives a petition, signed by a number of registered voters of the
42 district equal to at least ten percent of the number of registered voters of the district voting in the
43 last gubernatorial election, calling for an election to repeal the sales tax imposed under this
44 section, the governing body shall submit to the voters of the district a proposal to repeal the tax.
45 If a majority of the votes cast on the question by the qualified voters voting thereon are in favor
46 of the repeal, the repeal shall become effective on December thirty-first of the calendar year in
47 which such repeal was approved. If a majority of the votes cast on the question by the qualified
48 voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall
49 remain effective until the question is resubmitted under this section to the qualified voters and
50 the repeal is approved by a majority of the qualified voters voting on the question.

51 6. If the tax is repealed or terminated by any means **other than by a dissolution of a**
52 **hospital district as described under subsection 7 of this section**, all funds remaining in the
53 special trust fund shall continue to be used solely for the designated purposes, and the hospital

54 district shall notify the director of the department of revenue of the action at least ninety days
55 before the effective date of the repeal and the director may order retention in the trust fund, for
56 a period of one year, of two percent of the amount collected after receipt of such notice to cover
57 possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited
58 to the credit of such accounts. After one year has elapsed after the effective date of abolition of
59 the tax in such district, the director shall remit the balance in the account to the district and close
60 the account of that district. The director shall notify each district of each instance of any amount
61 refunded or any check redeemed from receipts due the district.

62 **7. Upon the dissolution of a hospital district levying a sales tax under this section,**
63 **the sales tax shall be automatically repealed and all funds remaining in the special trust**
64 **fund shall be distributed as follows:**

65 **(1) Twenty-five percent shall be distributed to the county public health center**
66 **established under sections 205.010 to 205.150; and**

67 **(2) Seventy-five percent shall be distributed to a federally qualified health center,**
68 **as defined in 42 U.S.C. Section 1396d(1)(2), located in the county.**

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