



LEGISLATIVE UPDATE

Week Ended March 13, 2020

Due to the coronavirus the Senate has adjourned until after spring break. At this point they plan to return on March 30. The House will work this week to complete the budget and then pause for spring break, also returning on the 30th.

WATCH LIST:

[SB 526](#) (Emery) Video Franchise Fee reduction. This is a significant threat to municipal revenues - On Senate Informal Perfection Calendar and could be debated at any time. Some senators have reported that they have not heard from their municipal officials about the impact of this bill. Please contact them and urge a "No" vote. Indicate how much revenue might be lost and how this will impact ALL municipal services, not just public safety. (Oppose)

[HB 1933](#) (Wiemann) Establishes the "Missouri Local Government Expenditure Database" - Passed House 2/17. Senate Local Government Committee.

[SB 529](#) (Cunningham) This act modifies several provisions relating to use taxes – **SUPPORT** - Senate Informal Perfection Calendar

[SB 648](#) (Koenig) Caps on Local Sales related to Wayfair - **OPPOSE SUPPORT** Senate Informal Perfection Calendar. The local government rollback has been removed and the distribution for the countywide one cent and the Prop P sales taxes has been amended to distribute these taxes on a population basis to the municipalities and the County. This would only apply if County voters approve the countywide use tax.

[SJR 52](#) (Eigel) - **constitutional amendment provides that any proposal by the state or a county, municipality, or other political subdivision for a new tax or fee or an increase in an existing tax or fee that is submitted to the voters for approval shall not become effective unless it receives a qualified majority in favor and at least 50% of qualified voters cast a ballot in the election.** Local Government/Elections Committee. (Oppose) Heard 3/4.

[SJR 46](#) (Cierpiot) - **constitutional amendment provides that any proposal by the state or a county, municipality, or other political subdivision for a new tax or fee, an increase in an existing tax or fee, or a reauthorization of an existing tax or fee that is submitted to the voters for approval shall not become effective unless it receives a qualified majority in favor and at least 22% of qualified voters cast a ballot in the election.** Local Government/Elections Committee. (Oppose) Heard 3/4.

Court Bills

[HB 1357](#) (Ellebracht) - Directs fines from certain municipal ordinances in cases heard before and associate circuit judge to be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures, and fines collected for the breach of the penal laws of the state are distributed.

[HB 1439](#) (Helms) - Currently, if a Missouri resident fails to dispose of charges or fails to appear in court, if required, for a moving traffic violation, the court is required to notify the Director of the Department of Revenue of the failure and order the director to suspend the defendant's driving privileges if the charges are not disposed of and paid within 30 days. This bill makes it discretionary for the court to notify the department and order license suspension.

[HB 1546](#) (Roberts) - repeals certain provisions that authorize arrest warrants for failure to respond, pay the fine assessed, or appear in court with respect to a traffic citation issued for an infraction under Chapter 304, RSMo, and instead authorizes a court to issue a notice of failure to respond, pay the fine assessed, or appear. No driver's license or driver's license renewal shall be issued if the applicant has delinquent fines and fees in connection with the traffic offense that have not been satisfied. The bill also lowers the penalty for certain traffic offenses as specified in the bill.

Judiciary Committee. Heard 2/25.

[HB 1626](#) (Gray) - specifies that if the court finds that a defendant is indigent or is without sufficient disposable income to pay restitution, court costs, fees, expenses, or fines in whole or in installments over a one-year period, upon motion of the defendant, the court must consider sentencing the defendant to perform community service under conditions as may be established by the court in lieu of paying restitution, court costs, fees, expenses, or fines for all traffic offenses deemed infractions or class D misdemeanors of any ordinance of any political subdivision of this state. If a person is not indigent, the court of jurisdiction may offer community service in lieu of a fine for such an offense. However, the defendant must be responsible for paying all court costs, fees, and expenses. Once a defendant is sentenced to perform community service in lieu of paying a fine under these provisions, he or she will be ineligible for a community service sentence for future traffic offenses within the same jurisdiction within the 12-month period following the date of the offense for which community service was ordered (Section 304.825, RSMo). This bill specifies that an individual must not be assessed any additional penalty and an arrest warrant must not be issued if the individual fails to appear in municipal court for any traffic or ordinance violation if the failure to appear occurs once in a 12- month period in the same jurisdiction following the date of the traffic or ordinance violation. If the individual fails to appear two or more times in a 12-month period for a traffic ordinance violation, the municipal court may assess additional penalties, but is prohibited from issuing an arrest warrant. The court may use a collection agency to collect any money owed by the individual (Section 479.012)

[HB 2312](#) (Haffner) - Currently, if a Missouri resident is charged with a moving violation and fails to dispose of the charges as ordered without good cause, the court instructs the resident that it will instruct the Department of Revenue to suspend the defendant's driver's license until charges are properly disposed. Under this bill, the court will inform the defendant that it may instruct the Department of Revenue to suspend the defendant's license. If a Missouri resident is charged with a minor traffic violation and fails to dispose of the charges as ordered and fails to appear on two return dates without good cause, the court will, within 10 days of the failure to comply, inform the defendant that it may instruct the Department of Revenue to suspend the defendant's driver's license until charges are properly disposed. A person whose license is suspended under these provisions will receive limited driving privileges unless the Director the Department of Revenue finds that the defendant is ineligible for such privileges. Judiciary Committee.

[SB 1015](#) (Emery) - specifies that if a person charged with a minor traffic violation does not resolve the charges prior to trial as provided by law, and fails to appear in court twice or without good cause fails to pay fines and court costs or adhere to an approved installment plan, the court shall notify the person by mail that the court will order the Director of the Department of Revenue to suspend their driver's license if the charges are not resolved within 30 days. Thereafter, if the person does not timely resolve the charges, the court shall notify the Department of Revenue and the Department shall suspend the driver's license immediately and notify the driver. The suspension shall remain in effect until the court requests the suspension be set aside, or until the person provides to the Department proof that the charge has been

disposed of and that the fines and costs have been paid. A license suspension solely under these provisions shall not require the filing of financial responsibility with the Department as a condition of reinstatement of the license. Unless the person is determined by the Department to be ineligible, a suspension under this act shall be accompanied by the issuance of limited driving privileges as provided by law. [Transportation Committee](#).

Economic Development Bills

[HB 1493](#) (Beck) - For TIF projects the bill changes the definitions of "economic activity taxes" to exclude local sales taxes dedicated to an education program or a fire protection district and "payment in lieu of taxes" to exclude revenue from any tax levied on real property whose revenue is dedicated to an education program or a fire protection district. The bill requires a redevelopment commission to approve a redevelopment plan before the redevelopment project can begin.

[HB 1350](#) (Kidd) - authorizes a school board to remove its district's operating levy from the definition of levies that are subject to tax increment allocation financing for redevelopment projects pursuant to Section 99.845, RSMo. The bill specifies that a district's operating levy will be removed from the definition if a two-thirds majority of the school board votes in favor after permitting public comment on the matter at two consecutive school board meetings.

[HB 1370](#) (Ellebracht) - Currently, "heritage value" applies to real property that has been owned within the same family for at least 50 years, and the value is calculated to be 50% of fair market value. This bill amends the definition of "heritage value" to apply to real property that has been owned within the same family for at least 10 years. Heritage value for property that has been owned within the same family for 10 years and one day shall be 10% of fair market value. For every 10 years and one day increment thereafter, such value shall increase by 10% for each such increment.

[HB 1412](#) (Solon) - specifies that, in any condemnation proceeding, the condemning authority must reimburse the property owner for his or her actual reasonable attorney's fees and costs incurred with respect to the condemnation proceeding. Judiciary Committee.

[HB 1493](#) (Beck) - authorizes the State Auditor to audit any redevelopment project created under the Real Property Tax Increment Allocation Redevelopment Act within the state in the same manner as the auditor can audit any agency of the state. The bill changes the definitions of "economic activity taxes" to exclude local sales taxes dedicated to an education program or a fire protection district and "payment in lieu of taxes" to exclude revenue from any tax levied on real property whose revenue is dedicated to an education program or a fire protection district. The bill requires a redevelopment commission to approve a redevelopment plan before the redevelopment project can begin.

[HB 1585](#) (Washington) - modifies the definition of a blighted area where tax increment financing (TIF) projects are possible to be areas where buildings are unsafe or unsanitary provided the area also qualifies as a distressed community, where the level of unemployment is one and one-half times greater than the state average unemployment rate, or where the average household income is less than 50% of the average household income of the surrounding metropolitan statistical area (Section 99.805, RSMo). The bill also provides that tax credits, reduced tax rates, and any other measurable contributions such as donations or discounts shall be considered funding sources for the purposes of assessing the property proposed in a TIF redevelopment plan. A study that the proposed property was not previously developed using private funds, and a study as to whether or not development would occur without public assistance are added to the requisite findings a municipality must make before a redevelopment plan is adopted (Section 99.810). The bill exempts certain redevelopment projects from the funding limits for TIF projects associated with a geospatial intelligence federal employer in St. Louis City. Redevelopment projects so exempted include those consisting solely of public infrastructure improvements on public land and that will pay off its bonds within seven years, and those projects where only a municipality's economic activity taxes and payment in lieu of taxes (PILOTs), but not any charges levied by other taxing jurisdictions, are used to finance the project (Section 99.811). The bill additionally requires that 25% of all payments in lieu of taxes (PILOTs) associated with a TIF project shall be distributed by a municipality to all other taxing entities that would be entitled to tax revenue but for the TIF. Municipalities and developers are then required to annually report to the Department of Economic Development regarding the status of any TIF, and the department shall subsequently, and annually thereafter, create a report for the Governor and the General Assembly annually, by April 13th, on the TIF projects statewide (Sections 99.812 and 99.813). Redevelopment districts that provide emergency services shall be reimbursed through disbursements from a municipality's special allocation fund, provided that no reimbursement shall be less than 25% or more than 100% of the district's TIF revenue. Reimbursements are further limited by

only applying to districts in certain counties and municipalities (Section 99.814). Finally, the bill qualifies projects in blighted areas that are also in distressed communities for disbursements from the state Supplemental Tax Increment Fund. However, the bill prohibits TIF redevelopment projects unless all school districts in the redevelopment area have low fiscal capacity, all associated census blocks or census block groups have high unemployment, or all associated municipalities, census blocks, or census block groups are moderate income areas (Section 99.845). Economic Development Committee.

[HB 1612](#) (Coleman) - modifies several provisions relating to tax increment financing. This bill modifies the definitions of "blighted area" and "conservation area" and creates new definitions for "flood plain infrastructure projects", "port infrastructure projects", "retail area", and "retail infrastructure projects" (Section 99.805, RSMo). This bill modifies local tax increment financing projects by providing that a study will be conducted by a party other than the proponent of the redevelopment plan, which details how the area meets the definition of an area eligible to receive tax increment financing. This bill also provides that retail areas, as defined in the bill, will not receive tax increment financing unless such financing is exclusively utilized to fund retail infrastructure projects, as defined in the bill, or unless such area is a blighted or conservation area (Section 99.810). This bill prohibits new projects from being authorized in any Greenfield area (Section 99.843). This bill also prohibits new projects from being authorized in an area designated as a flood plain by the Federal Emergency Management Agency unless such projects are located in a port district, provided such financing is utilized for port infrastructure projects, or in a levee or drainage district created prior to August 28, 2020. This bill also provides that new projects may be authorized in an area within a flood plain provided that such financing must be exclusively utilized to fund flood plain infrastructure projects, as defined in the bill, that result in such area no longer being within an area designated as a flood plain. This provision will not apply to tax increment financing projects or districts approved prior to June 30, 2021, and such projects may be modified, amended, or expanded by not more than 40% of such projects' original projected cost. Projects in flood plains will not be authorized in St. Charles County (Section 99.847).

[HB 1834](#) (Green) - requires tax increment financing commissions to give priority to low-income areas, as specified in the bill. These provisions apply for any redevelopment project that is approved by a municipality after June 30, 2022. Tax increment financing cannot be used for more than 5% of the total estimated redevelopment costs or 30% of the infrastructure costs, whichever is greater, of a project that is primarily retail unless the redevelopment is in a municipality, census block group, or group of block groups with a median household income less than 70% of that of the metropolitan area, a distressed community, a federal enterprise zone, or a federal empowerment zone. The bill requires that the municipality and developer must submit a report annually to the Department of Economic Development regarding the approved plan. The department must submit a report to the Governor and General Assembly by April 30 of each year. This bill specifies that any district providing emergency services under Chapter 190 or 321, RSMo, will be entitled to reimbursement from the special allocation fund for direct costs. However, such reimbursement will not be less than 25% nor more than 100% of the district's tax increment.

[SB 550](#) (Hegeman) - Current law provides that property that was partially or completely exempt from ad valorem property taxes under the tax increment financing, enterprise zone, and urban redevelopment corporations programs shall be included in the value of new construction and improvements for the purposes of assessed valuations once such property becomes partially or completely subject to taxation. This act expands such provision to cover all such properties under any ad valorem property tax abatement program. Economic Development Committee.

SS SCS [SB 570](#) (Koenig) - Senate Substitute modifies several provisions relating to tax increment financing. This act modifies the definitions of "blighted area" and "conservation area" and creates new definitions for "port infrastructure projects", "retail area", and "retail infrastructure projects". (Section 99.805) This act modifies local tax increment financing projects by providing that a study shall be conducted by a party other than the proponent of the redevelopment plan, which details how the area meets the definition of an area eligible to receive tax increment financing. This act also provides that retail areas, as defined in the act, shall not receive tax increment financing unless such financing is exclusively utilized to fund retail infrastructure projects, as defined in the act, or unless such area is a blighted or conservation area. (Section 99.810) For tax increment financing projects approved or amended after December 31, 2020, the City of St. Louis may provide for the deposit of up to 10% of the tax increment financing revenues generated by the project into a Strategic Infrastructure for Economic Growth Fund to be established by the city. Moneys deposited in such fund may be expended by the city for the purpose of funding capital investments in public infrastructure that is located in a census tract that is defined as a low-income community or is eligible to be

designated as a Qualified Opportunity Zone under federal law. (Section 99.821) This act prohibits new projects from being authorized in any Greenfield area. (Section 99.843) This act allows a school district to vote to exclude the school district's operating levy for school purposes from the definition of "levies upon taxable real property in such redevelopment project by taxing districts" for the purpose of funding tax increment financing districts. Before the school board may vote on such exclusion, the question shall be placed on the agenda at two consecutive meetings of the school board, and public comments on the matter shall be allowed at both meetings. The school board may then vote upon the matter. If at least a two-thirds majority of the school board votes in favor of removing the operating levy from the definition, the definition shall not include the district's operating levy for school purposes. (Section 99.846) This act also prohibits new projects from being authorized in an area designated as a flood plain by the Federal Emergency Management Agency unless such projects are located in 1) Jackson, Platte, or Clay counties; 2) the cities of Springfield or St. Joseph, 3) in a port district, provided such financing is utilized for port infrastructure projects; or 4) in a levee or drainage district created prior to August 28, 2020. This provision shall not apply to tax increment financing projects or districts approved prior to June 30, 2021, and such projects may be modified, amended, or expanded by not more than forty percent of such projects' original projected cost. Projects in flood plains shall not be authorized in St. Charles County unless the redevelopment area actually abuts a river or major waterway, as described in the act. (Section 99.847) Current law allows districts and counties imposing a property tax for the purposes of providing emergency services to be entitled to reimbursement from the special allocation fund of a portion of the district's or county's tax increment. For projects approved after August 28, 2020, this act modifies such provision to allow reimbursement to ambulance districts, fire protection districts, and governing bodies operating a 911 center providing dispatch services and which impose economic activity taxes for such purposes. (Section 99.848) Ways & Means Committee. Heard 1/14. Committee Substitute passed 1/21. Perfected 1/28. Passed Senate 1/30.

SB 646 (Koenig) - Current law authorizes community improvement districts (CIDs) and transportation development districts (TDDs) to impose a sales tax on purchases made within such districts if approved by a majority of voters living within the district. This act requires such sales taxes to be approved by a majority of the voters of the municipality in which the district is located. Additionally, current law authorizes TDDs to charge and collect tolls or fees for the use of a project if approved by a majority of voters within the district. This act requires such tolls or fees to be approved by a majority of voters within the municipality in which the TDD is located. Ways & Means Committee. Hearing 1/28. **Passed Committee 1/30. Senate Perfection Calendar.**

SB 840 (Arthur) - allows a school district to exclude real property from a proposed tax increment financing redevelopment area if the school district determines that such redevelopment area will have an adverse effect on such school district. The school district shall adopt a resolution making such determination and shall deliver the resolution to the municipality establishing the redevelopment area. Within thirty days of receiving the resolution, the municipality shall remove such property from the redevelopment area or terminate the redevelopment area. Local Government Committee.

SB 871 (Nasheed) - modifies local tax increment financing projects by limiting such projects to redevelopment areas that are found to be blighted. This act also provides that a redevelopment area shall not be found to be blighted without a study conducted by a party other than the municipality and developer which details how the redevelopment area meets the definition of "blighted area". This act modifies the definition of "blighted area". This act also modifies the definition of "redevelopment plan" and "redevelopment area" to provide that such definitions shall not include "conservation areas" or "economic development areas". This act modifies local tax increment financing projects by providing that a study shall be conducted by a party other than the proponent of the redevelopment plan, which details how the area meets the definition of an area eligible to receive tax increment financing. This act prohibits new projects from being authorized in any greenfield area. Economic Development Committee.

SB 1080 (Rizzo) - allows school districts to exclude such district's operating levy from tax increment financing districts.

Election Bills

HB 1777 (Lovasco) - requires the Secretary of State (SOS) to investigate violations of election statutes relating to the use of public funds for political advertising purposes on printed materials. Any person may file a complaint against a state department or its director for violations. The SOS has 30 days to dismiss the complaint or start an investigation and notify the complainant of the decision. If the SOS, or any person whose complaint is denied, wishes to proceed then they

may file a petition in the Circuit Court of Cole County against the agency or political subdivision. Procedures for filing are specified in the bill. If the court finds a violation, then civil penalties of 10 times the amount of an expenditure or \$10,000, whichever is greater, may be imposed on a department or political subdivision. Directors and administrators may be personally liable for up to \$1,000 in civil penalties. Injunctive relief and court costs shall also be imposed as specified in the bill. Elections Committee. Heard 3/4.

[HB 2656](#) (Sommer) - changes municipal election date to 1st Tuesday after 3rd Monday in June.

[SB 815](#) (Eigel) - Under current law, the period for filing a declaration of candidacy in certain political subdivisions and special districts is from 8:00 a.m. on the 16th Tuesday prior to the election until 5:00 p.m. on the 11th Tuesday prior to the election. This act changes that period to 8:00 a.m. on the 17th Tuesday prior to the election until 5:00 p.m. on the 14th Tuesday prior to the election. Local Government/Election Committee. **Heard 3/11.**

Miscellaneous Bills

[HB 1347](#) (Baker) - prohibits the contribution or expenditure of public funds, including public resources or specified property, by any officer, board member, director, administrator, employee, or agent of any political subdivision to advocate, support, or oppose any ballot measure or candidate for public office. **Individuals are also restricted from specified advocacy before the General Assembly when acting in an official capacity or during work hours.** The bill does not prohibit these individuals from making public appearances or from issuing press releases concerning any such ballot measure. The bill does allow the use of legislative liaisons by political subdivisions and special districts to communicate information to the General Assembly about their policies and procedures. If a contribution or expenditure of public funds to any person results in the use of any part of such funds to advocate, support, or oppose any ballot measure or candidate for public office, the contribution or expenditure is in violation of these provisions. Any resident of a political subdivision who wishes to challenge a contribution or expenditure of public funds may bring an action in any circuit court of the political subdivision in which any alleged violation occurred. The political subdivision and the officer, board member, director, administrator, employee, or agent who allegedly violated this section shall be named as party defendants. The petition shall set forth the contribution, expenditure, or contribution and expenditure at issue and the facts that gave rise to a violation and shall pray leave to produce such proof. The court shall consider the petition and evidence, hear arguments, and in its decision determine whether a violation of this section occurred. If the court decides the contribution or expenditure of public funds was a violation, then the court may award attorney fees and the political subdivision shall be subject to a civil penalty in an amount 10 times the amount of the contribution or expenditure or \$1,000 whichever is greater, or if the violation involved only use of public resources, then a civil fine not to exceed \$1,000 for those offenses that are committed by specified administrators or board members. A first violation of these provisions by specified non-administrative level employees will not be subject to any fine, but a subsequent offense will be punished using the previous categories. Elementary Education Committee. Heard 1/28. Passed Committee 2/4. Referred Rules Committee. Returned to Education Committee.

[HB 1363](#) (Ellebracht) - amends the Missouri Sunshine Law in Chapter 610, RSMo. It amends the definition of "public record" to include the social media pages of a public governmental body, including the personal social media pages of members of the governmental body in specified circumstances. The bill expands the requirements for preservation of communications through electronic means, including social media accounts, and requires the public entity to produce such records in usable electronic format.

[HB 1463](#) (Shaul) - preempts any political subdivision from imposing any restriction, tax, or prohibition upon the use of auxiliary containers including paper or plastic bags and other materials as defined in the bill. However, this bill does not apply to the use of auxiliary containers on county or city property, or any political subdivision's ordinance or agreement regarding recycling or solid waste disposal.

[HB 1602](#) (Mayhew) - provides that if a statute or ordinance authorizes a mayor of a city of the fourth class to appoint a member of a local board or commission, any requirement that the appointed person be a resident of the city will be deemed satisfied if the person owns real property or a business in the city, regardless of whether the position to which the appointment is made is considered an officer of the city. Local Government Committee. Heard 2/11. Passed Committee 3/3. Referred Rules Committee. **Passed Committee 3/12.**

[HB 1608](#) (Coleman) - creates a class B misdemeanor offense for the unauthorized contribution of public funds to support or oppose ballot measures or candidates or to hire legislative lobbyists or provide anything of value to a person required to register as a legislative lobbyist.

[HB 1658](#) (Proudie) - specifies that any St. Louis County shall be included in the list of places in which limited liability companies that own or rent real property are required to designate by affidavit the name and street address of a natural person with management control of responsibility for the real property. (Support) Urban Issues Committee. Heard 2/5. Passed Committee 2/12.

[HB 1760](#) (Spencer) - requires public officials from special districts or political subdivisions, where the district or political subdivision has 10,000 or more individuals, to be physically present when casting a vote. Electronic voting of any kind is not allowed in such cases. Elections Committee. Heard 1/29.

[HB 1819](#) (Wood) - authorizes the Board of Adjustment to keep records of all testimony, objections thereto, and rulings thereon by any form of audiotape, videotape, or digital recording. Local Government Committee. Heard 1/28. Passed Committee 2/11. Referred Rules Committee. Passed Committee 2/18. [House Informal Perfection Calendar](#).

[HB 1854](#) (Pfautsch) - changes laws regarding the consequences of a political subdivision for failure to file an annual financial statement with the State Auditor as required by law. If the failure to submit the annual financial statement was a result of fraud or other illegal conduct by any employee, the failure shall not result in a fine. The Director of the Department of Revenue shall have the authority to make a one-time downward adjustment to any fine he or she deems uncollectable. If, after August 28, 2020 and before January 31, 2021, a political subdivision fails to file an annual statement, the Director of the Department of Revenue must notify the Attorney General, and the Attorney General will initiate the process to disincorporate the political subdivision as specified in the bill. During the bill's progression through the Committee process, substitute language was adopted that mandates the State Auditor to notify municipalities in which the political subdivision resides of a district's delinquency in filing the financial statement. Additionally, the political subdivisions will have 90 days (compared to the original 30) to submit financial statements to the State Auditor. After no debate, the House perfected the bill on a voice vote. It has to go through a Fiscal Oversight hearing next week before it can be third read and advanced to the Senate. Local Government Committee. Heard 1/28. Committee Substitute Passed 2/4. Referred Rules Committee. Passed Committee 2/13. Perfected 3/4. [Passed House 3/9](#).

[HB 1933](#) (Wiemann) - establishes the "Missouri Local Government Expenditure Database", to be maintained by the Office of Administration. For each fiscal year beginning on or after December 31, 2022, the database must include extensive information about a given municipality's or county's expenditures and the vendors to whom payments were made. The data base must be accessible by the public without charge and have multiple ways to search and filter the information. A municipality or county may voluntarily participate in the database, or may be required to participate if a petition process used by its residents is used to require participation as specified in the bill. A link to the database on a municipal or county website is required. The Office of Administration may stipulate a format for information and will provide a template for municipalities and counties to use in sending information. Other duties and responsibilities of the Office of Administration regarding the database are detailed in the bill. Financial reimbursement to municipalities and counties for costs associated with the database is authorized. Local Government Committee. Heard 1/21. Passed Committee 1/28. Referred to Rules Committee. Passed Rules Committee 2/4. Perfected 2/11. Passed House 2/17. Senate Local Government Committee.

[HB 1966](#) (Lynch) - Currently, many legal notices are required to be published by a public body or an organization regulated by the state in a newspaper of general circulation within a particular area. This bill repeals those requirements and instead requires the public body or organization to post the legal notice on the front page of its website, if it has one. If the public body or organization does not have a website, the notice shall be sent to the Secretary of State who shall publish the notice on the "Legal Notices Website", required by this bill to be established and maintained by the Secretary of State.

[HB 2091](#) (Bondon) - changes provisions relating to video service providers by specifying that no political subdivision can adopt a linear foot fee to be charged to any entity that holds a franchise or video service authorization. Currently, franchise entities may collect a video service provider fee equal to not more than 5% of the gross revenues of a video service provider providing service in the geographic area of such franchise entity. The bill changes the definition of gross

revenues to specify that a franchise entity may collect a video service provider fee equal to not more than 5% of the first \$20 of the gross revenues charged to each customer of a video service provider that is providing video service in the geographic area of such franchise entity. A franchise entity or political subdivision cannot demand any additional fees, licenses, gross receipt taxes, or charges on a video service provider that holds a video service authorization, or an affiliate of such video service provider, with respect to: (1) The placement, construction, or modification of facilities integrated with or attached to a video service network within the geographic area of the franchise entity or other political subdivision; or (2) The provision by such video service provider operator or affiliate of any service over a video service network within the geographic area of the franchise entity or other political subdivision. The bill also repeals the Sunset date for the Uniform Small Wireless Facility Deployment Act. **Will significantly reduce municipal revenues, similar to SB 526.** (Oppose)

HB 2094 (Bondon) - establishes the "Missouri Water and Sewer Infrastructure Act", which specifies that a water or sewer company may file a petition and proposed rate schedules with the Public Service Commission to create or change an infrastructure rate adjustment (WSIRA) that provides for the recovery of pretax revenues associated with eligible infrastructure projects. The WSIRA and any future changes must meet specific requirements. The commission cannot approve a WSIRA for a water or sewer corporation that has not had a general rate proceeding decided or dismissed within the past three years of the filing of a WSIRA petition unless the corporation has filed for or is the subject of a new general rate proceeding. A corporation cannot collect a WSIRA for more than three years unless the corporation had filed for or is the subject of a new rate proceeding. In such case, the WSIRA can be collected until the effective date of the new rate schedules. At the time the corporation files a petition to establish or change a WSIRA, it must submit proposed WSIRA rate schedules and supporting documentation, and it must also serve the Office of Public Counsel with a copy of the petition, rate schedules, and documentation. Upon filing, the commission must publish a notice of the filing, and conduct an examination of the proposed WSIRA, as specified in the bill. The commission may hold a hearing on the petition and any associated WSIRA rate schedules. If the commission finds that a petition complies with the requirements, the commission must enter an order authorizing the corporation to implement the WSIRA. A corporation may effectuate a change in its WSIRA no more often than twice in every 12-month period. The bill specifies information the commission may consider in determining the appropriate pretax revenues and how the WSIRA is calculated. If this information is unavailable and the commission has not provided it on an agreed-upon basis, the commission must use the last authorized overall pretax weighted average cost of capital for a WSIRA or the last authorized overall pretax weighted average cost of capital in a general rate proceeding for the corporation. At the 12-month period the WSIRA was in effect, the corporation must reconcile the differences between the revenues from a WSIRA and the appropriate pretax revenues found by the commission for that period and submit the reconciliation and proposed WSIRA to the commission for approval to recover or credit the difference. A corporation that has a WSIRA must file revised WSIRA schedules when new base rates and charges become effective following a general rate proceeding that includes the WSIRA eligible costs in the base rates. Once the eligible costs are included in corporation's base rates, the corporation must reconcile any previously unreconciled WSIRA revenues to ensure that revenues resulting from the WSIRA match as closely as possible the appropriate pretax revenues. A corporation's filing of a petition to establish or change a WSIRA is not considered a request for a general increase in the corporation's base rates and charges. Nothing in this bill impairs the authority of the commission to review the prudence or eligibility of specific projects in the proposed WSIRA. Utilities Committee. Heard 1/21. Passed Committee 2/18. Referred Rules Committee. **Passed Committee 3/12.**

HB 2302 (Fitzwater) - allows electric companies to provide broadband service. Utilities Committee.

HB 2526 (Haffner) - Specifies that restrictive covenants shall not limit or prohibit the installation of rooftop solar panels or solar collectors. Downsizing Government Committee. Heard 3/2. Passed Committee 3/5. Referred Rules Committee. Passed Committee 3/5. **House Informal Perfection Calendar.**

HB 2603 (DeGroot) - Specifies that email addresses and telephone numbers submitted to a public governmental body by individuals or entities for the sole purpose of receiving electronic or other communications including, but not limited to, newsletters, notifications, advisories, and alerts shall be closed under the Sunshine Law. (Support)

HB 2707 (Mitten) - requires staff, as well as elected and appointed officials, to file with the custodian of records all electronic messages related to public business and prohibits the use of apps that automatically delete electronic messages.

[HB 2725](#) (Coleman) - allows records of any correspondence, written or electronic, between a member or employee of a public governmental body and a constituent pertaining to a constituent's request for information or assistance to be closed under the Sunshine Law. Judiciary Committee. [Hearing 3/16](#).

[HJR 83](#) (Bosley) - Upon voter approval, this proposed Constitutional amendment specifies that any change to the territories or governments of St. Louis City and St. Louis County shall only occur as authorized by Article VI, Sections 30(a) to 30(c) of the state Constitution. It also prohibits any alteration, merger, or dissolution of cities, towns, or villages without a vote occurring in each of the entities affected by a proposal for alteration, merger, or dissolution.

[SB 592](#) (White) - establishes the Missouri Water and Infrastructure Act, which specifies that a water or sewer corporation may file a petition and proposed rate schedules with the Public Service Commission to create or change a water and sewer infrastructure rate adjustment (WSIRA) that provides for the recovery of pretax revenues associated with eligible infrastructure projects. The WSIRA and any future changes must meet specific requirements as set forth in the act.

The Commission shall not approve a WSIRA for a water or sewer corporation that has not had a general rate proceeding decided or dismissed in the 3 years before the filing of a WSIRA petition unless the water or sewer corporation has filed for or is the subject of a new general rate proceeding.

At the time the water or sewer corporation files a petition for a WSIRA, it shall submit proposed WSIRA rate schedules and supporting documentation, and the corporation shall also serve the Office of Public Counsel with a copy of the petition, rate schedules, and documentation. Upon the filing of a petition, the Commission shall conduct an examination of the proposed WSIRA, as specified in the act. The Commission may hold a hearing on the petition and any associated WSIRA rate schedules. If the Commission finds that a petition complies with the requirements set forth in the act, the Commission shall enter an order authorizing the water or sewer corporation to implement the WSIRA. A corporation may petition the Commission for a change in its WSIRA no more than two times in every 12-month period.

The act lists what information the Commission may consider in determining the appropriate pretax revenues and how the WSIRA is calculated. If this information is unavailable and the Commission is not provided such information on an agreed-upon basis, the Commission shall use the last authorized overall pretax weighted average cost of capital in a general rate proceeding for the water or sewer corporation. At the end of each 12-month calendar year that a WSIRA is in effect, the corporation shall reconcile the differences between the revenues from a WSIRA and the appropriate pretax revenues found by the Commission for that period and submit the reconciliation and proposed WSIRA to the Commission for approval to recover or credit the difference.

A water or sewer corporation that has a WSIRA shall file revised WSIRA schedules when new base rates and charges become effective following a general rate proceeding that includes the WSIRA eligible costs in the base rates. Once the eligible costs are included in the water or sewer corporation's base rates, the corporation shall reconcile any previously unreconciled WSIRA revenues to ensure that revenues resulting from the WSIRA match as closely as possible the appropriate pretax revenues.

A water or sewer corporation's filing of a petition to establish or change a WSIRA is not considered a request for a general increase in the corporation's base rates and charges. Nothing in the act impairs the authority of the Commission to review the prudence or eligibility of specific projects in the proposed WSIRA. Commerce Committee. [Heard 1/22](#). [Passed Committee 1/29](#). [Senate Informal Perfection Calendar](#).

[SB 730](#) (Sater) - provides that all public advertisements, notices, orders of publication, and legal publications required by law or directed by the court to be published in a newspaper, newspaper of general circulation, or daily newspaper shall additionally be posted on a website established and maintained by at least a majority of the newspapers whose principal place of business is in Missouri, at no additional cost to the state, to any political subdivision or to any person or entity thereof who shall be responsible for directing the notice be published. When any such notice is required to be published more than once, the newspaper may not charge for the second and successive insertions of the notice at a rate greater than eighty-five percent of the newspaper's regular local classified advertising rate. In first class counties and the City of St. Louis, boards are allowed to set rates which may be charged for public notices and advertisements. This act prohibits any such rates from exceeding rates otherwise permitted by this act. General Laws Committee. [Heard 3/3](#).

[SB 874](#) (Sater) - allows two or more municipalities to form a broadband infrastructure improvement district for the delivery of broadband internet service to the residents of such municipalities. A district created under the act shall have to power to contract with a broadband internet service provider to provide broadband internet service to the residents of the district. A district may finance the provision or expansion of broadband internet service through grants, loans, bonds, or user fees, but shall not have the power to levy, assess, apportion, or collect any tax upon property within the district nor upon any of its members. The act also sets forth the composition and operation of the district governing board. Commerce Committee. **Heard 3/11.**

[SB 1008](#) (Burlison) - specifies that no deed restriction, covenant, or similar binding agreement running with the land shall limit or prohibit the installation of solar panels or solar collectors, as defined in the act, on the rooftop of any property or structure. A homeowners' association may adopt reasonable rules regarding the placement of solar panels or solar collectors to the extent those rules do not prevent the installation of the device or adversely affect its functioning, use, cost, or efficiency. This act shall apply only with regard to rooftops that are owned, controlled, and maintained by the owner of the property or structure. Commerce Committee.

Public Safety Bills

[HB 1261](#) (Brown) - repeals Section 21.750, RSMo, in which the General Assembly preempted the entire field of firearms regulation. Political subdivisions will now be able to regulate firearms in any manner allowed by state and federal law and that is consistent with their police powers or charter.

[HB 1481](#) (Roden) - prohibits fire departments, fire protection districts, ambulance districts, and law enforcement agencies from requiring non-salaried employees to live within the fire department's geographical jurisdiction, the fire protection district, the ambulance district, or a jurisdiction more specific than the state, respectively. Counties are prohibited from requiring attendance at a specific training academy by candidates for firefighter positions but are allowed to require a specific certification from any training academy. Judiciary Committee.

[HB 1604](#) (Hicks) - modifies St. Louis City residency requirement for police officers. Judiciary Committee. Heard 1/14. Passed Committee 1/21. Referred to Rules Committee. Returned to Judiciary Committee 1/27. Passed Committee 2/4. Referred Rules Committee. Passed Committee 2/13. Perfected 3/4. **Passed House 3/9**

[HB 1657](#) (Proudie) - prohibits requests to law enforcement or emergency services for assistance from being considered a public nuisance. Political subdivisions are prohibited from penalizing a resident, tenant, or landlord for a contact made for police or emergency assistance by or on behalf of a victim of abuse, crime, or an individual in an emergency, if the contact was reasonably believed to be necessary or is actually necessary. If a political subdivision attempts to enforce an ordinance in violation of this prohibition, the resident, tenant, or landlord may file civil suit against the political subdivision for various remedies including a cease and desist order, compensatory damages, attorney's fees, court costs, and other equitable relief. Criminal Justice Committee. Heard 2/27. Passed Committee 3/5. **Referred Rules Committee.**

[HB 1722](#) (Schnelting) - allows a concealed carry permit holder to lawfully carry firearms on public transportation, as defined in the bill. Anyone with a permit may also carry a firearm while traveling by bus. A person with or without a permit may transport a firearm in a nonfunctioning state by bus if ammunition is not available. General Laws Committee. Heard 2/26. **See HB 1901**

[HB 1889](#) (Schroer) - establishes the "Law Enforcement Officers' Bill of Rights". The bill defines a "law enforcement officer" as any sworn peace officer, except an elected sheriff or deputy, who possesses the duty and power of arrest for violations of the criminal laws of this state or for violations of ordinances of counties or municipalities of this state. These provisions do not apply to an officer serving in a probationary period or the highest-ranking officer of any law enforcement agency. The bill specifies certain rights a law enforcement officer has when he or she is the subject of an administrative investigation or is being questioned or interviewed. These rights include being informed of the violation, requiring the complaint to be supported by a sworn affidavit and allowing the officer to have an attorney. This bill provides that any law enforcement officer who is suspended without pay, demoted, terminated, transferred, or placed on a status resulting in economic loss is entitled to a full due process hearing. The hearing requirements are specified in the bill. **Crime Prevention/Public Safety Committee.**

HCS [HB 1901](#) (Hicks) - allows concealed carry permit holders to lawfully carry firearms on public transportation. "Public transportation system" is defined in the bill. In addition, this bill exempts persons transporting non-functioning or unloaded firearms on buses from the crimes prohibiting the possession of weapons on buses. General Laws Committee. Heard 2/26. **Passed Committee 3/10. Referred Rules Committee.**

[HB 1965](#) (Schroer) - provides that if, preceding the date of injury or death, an employee who is on active duty as a first responder is diagnosed with a mental impairment and such person was not previously diagnosed such an impairment, the impairment shall presumptively be considered an occupational disease and shall be presumed to have arisen out of and in the course of employment. This presumption may be rebutted by the employer or insurer. One or more compensable mental impairment claim arising out of a single accident shall constitute a single injury. Furthermore, a mental impairment shall not be considered an occupational disease if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the employer.

[HB 2042](#) (Richey) - specifies that all law enforcement agencies, municipal and county, located in any county or city not within a county will be eligible to receive funding under the "Missouri Law Enforcement Assistance Program".

[HB 2217](#) (Sauls) - allows firefighters and first responders to receive Workers' Compensation for, but not limited to, diseases of the heart, diseases of the cardiovascular system, any infectious diseases, and diseases of the lungs or respiratory tract. Mental disorders may be recognized as occupational diseases and may be defined to be a disability due to stressful exposures, if such psychological stress or mental disorders arise from their employment. The employer of the firefighter or first responder has a duty to provide reasonable medical evidence. If the employer does not provide reasonable medical evidence, then the first responder will have the benefit of the presumption regardless of the absence of medical evidence. References to "the body systems or organs from carcinoma" shall be presumed to be references to cancer and an occupational disease if: (1) The first responder has been assigned to at least 5 years of hazardous duty, (2) The first responder was exposed to an agent classified by the International Agency for Research on Cancer, (3) Fewer than 20 years have elapsed since the first responder was last assigned to hazardous duty; and (4) At the time of the diagnosis of cancer, the first responder was under the age of 70. The division must prepare and submit a report regarding presumed cancer claims before August 28, 2021 and an updated report every 2 years thereafter. This report shall be provided to the Speaker of the House of Representatives, the Minority Leader of the House, the President Pro Tem and the Minority Leader of the Senate, The Missouri Association of Fire Chiefs, The Fire Fighters Association of Missouri, and the Missouri Municipal League.

[HB 2631](#) (DeGroot) - authorizes municipalities which contract for fire protection services to levy a fire service sales tax, subject to voter approval.

[SB 545](#) (Sifton) - the death, disability, or impairment of health of any person who is a firefighter, police officer, emergency medical technician, or other first responder of any political subdivision shall be considered an occupational disease if the following conditions are met: 1) the person must have completed five or more years of employment as a firefighter, police officer, emergency medical technician, or other first responder; 2) the death, disability, or impairment of health must have been caused by a disease of the lungs or respiratory tract, hypertension, cardiovascular-renal disease, or post-traumatic stress disorder; 3) the death, disability, or impairment of health must be the result of employment as a firefighter, police officer, emergency medical technician, or other first responder; and 4) the person must have taken a physical examination upon becoming employed that failed to reveal any evidence of any condition or impairment of health. Clear and convincing medical evidence that the cause of the condition or impairment of health of the person is unrelated to their employment is required in order to deny a workers' compensation claim under this act. Small Business Committee.

[SB 558](#) (Schatz) - ends St. Louis police residency requirement as long as the officer resides within a one hour response time. Local Government Committee. Heard 1/22. **Passed Committee 1/29. Senate Informal Perfection Calendar.**

[SB 572](#) (Rowden) - establishes a pilot program known as the "Community Crime Reduction Grant Program" which shall provide money to qualifying municipal police departments. The grants provided under this act shall be subject to appropriation by the General Assembly and shall be equally dispersed among qualifying municipal police departments.

To qualify, a municipal police department must: Employ less than two officers per one thousand people; and Serve a city with a population of 75,000 inhabitants to 125,000 inhabitants that is located in a first class county. Grants received from the program shall be used as payment for the following:• Up to 50% of the cost of employing new law enforcement officers needed to raise the department's officer to population ratio to two officers per one thousand people; and• Up to 100% of the cost for law enforcement officers hired with grant money by the municipal police department to attend not less than one seminar relating to fair and impartial policing and one seminar relating to racial sensitivity at the University of Missouri Law Enforcement Training Institute. Municipal police departments receiving grants under the program shall submit an annual report with information as provided in the act to the Department of Public Safety on or before December 31 of each year in which the Department received the grant money. This act also creates the "Community Crime Reduction Program Fund" which shall consist of all gifts, bequests, transfers, and money appropriated by the General Assembly for the program. The state treasurer shall be the custodian of the Fund and may approve disbursements. Money from the Fund shall be used solely by the Department of Public Safety to issue grants to qualifying municipal police departments through the program. The Department of Public Safety shall administer the grants issued under the program and promulgate all rules and regulations for the administration of the program. The provisions in this act shall sunset after four years unless reauthorized by the General Assembly. Public Safety Committee. Heard 1/16. Passed Committee 2/13. **Senate Perfection Calendar.**

SB 700 (Onder) - allows a concealed carry permit holder to lawfully carry firearms on public transportation, as defined in the bill. Anyone with a permit may also carry a firearm while traveling by bus. A person with or without a permit may transport a firearm in a nonfunctioning state by bus if ammunition is not available. Transportation Committee. **Heard 3/12.**

SB 710 (Eigel) - provides that if, preceding the date of injury or death, an employee who is on active duty as a first responder is diagnosed with a mental impairment and such person was not previously diagnosed such an impairment, then the impairment shall presumptively be considered an occupational disease and shall be presumed to have arisen out of and in the course of employment. This presumption may be rebutted by the employer or insurer. One or more compensable mental impairment claims arising out of a single accident shall constitute a single injury. Furthermore, a mental impairment shall not be considered an occupational disease if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the employer. General Laws Committee. Heard 2/4. Passed Committee 2/11.

SB 781 (Brown) - allows any county and the municipalities therein to receive funds from the Missouri Law Enforcement Assistance Program. Public Safety Committee. Heard 2/20. Passed Committee 2/27.

SB 905 (Eigel) - provides that no city, village, town, county, township, or board of police shall require, as a condition of employment, any residency rule or requirement for current or prospective law enforcement officers, unless the rule is no more restrictive than requiring such personnel to reside within a 30 minute response time. Currently, commissioned and civilian personnel of the St. Louis City municipal police force must retain a primary residence in the city for a total of seven years and then may maintain a primary residence that is located within a one-hour response time. This act provides that such personnel shall not be subject to a residency requirement so long as the primary residence is located within a one-hour response time. Local Government Committee.

SB 1053 (Eigel) - This act creates the "Law Enforcement Officers' Bill of Rights". The provisions of this act do not apply to an officer serving in a probationary period or to the highest ranking officer of any law enforcement agency. Establishes conditions for instances when a law enforcement officer is under investigation which would lead to disciplinary action, demotion, dismissal, or transfer.

Taxation & Revenue Bills

HB 1584 (Knight) - modifies ballot language required for the submission of a local use tax to voters by including language stating that the approval of the local use tax will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers. Ways & Means Committee. Heard 1/22.

[HB 1895](#) (Falkner) - Currently, the Department of Revenue must maintain a mapping feature on its website that displays various sales tax information. This bill requires the mapping feature to include use tax information (Section 32.310, RSMo). Beginning October 1, 2020, this bill provides that a vendor will be considered to be engaging in business activities in this state when certain criteria specified in the bill is met. Vendors meeting such criteria will be required to collect and remit the use tax as provided under current law (Section 144.605). This bill requires the Department of Revenue to provide and maintain a downloadable electronic database at no cost to the user of the database for taxing jurisdiction boundary changes and tax rates. Vendors will not be liable for reliance upon inaccurate data provided by the department on tax rates, boundaries, or taxing jurisdiction assignments (Section 144.637). This bill modifies ballot language required for the submission of a local use tax to voters by including that the approval of the local use tax will eliminate the difference in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers (Section 144.757). Ways & Means Committee. Heard 1/29.

[HB 1957](#) (Eggleston) - reduces the top income tax rate 0.08% on January 1, 2021. Additionally, beginning with the 2022 calendar year this bill will allow the income tax rate to adjust for a period of two years: (1) For the 2022 calendar year, for every additional \$45 million in sales and use tax revenue received from October 1, 2020, to September 30, 2021, that exceeds a 2.8% increase in sales and use tax revenue received from October 1, 2019, to September 30, 2020, the top tax rate will be reduced 0.05% from its 2021 rate. For every \$45 million in sales and use tax revenue received from October 1, 2020, to September 30, 2021, that fails to equal a 2.8% increase in sales and use tax revenue received from October 1, 2019, to September 30, 2020, the top tax rate will be increased 0.05% from its 2021 rate. (2) Beginning with the 2023 calendar year, for every additional \$45 million in sales and use tax revenue received from October 1, 2020, to September 30, 2022, that exceeds a 5.6% increase in sales and use tax revenue received from October 1, 2019, to September 30, 2020, the top tax rate will be reduced 0.05% from its 2021 rate. For every \$45 million in sales and use tax revenue received from October 1, 2020, to September 30, 2022, that fails to equal a 5.6% increase in sales and use tax revenue received from October 1, 2019, to September 30, 2020, the top tax rate will be increased 0.05% from its 2021 rate (Section 143.011, RSMo). ECONOMIC NEXUS Beginning January 1, 2021, this bill provides that a vendor also engages in business activities in this state if a vendor during a 12 month period, as defined in the bill: (1) Has cumulative gross receipts of at least \$100,000 from the sale of tangible personal property; or (2) Has 200 or more separate transactions, for the purpose of storage, use, or consumption in this state in the previous 12 month period, as described in the bill; and (3) Does not have a physical presence within the state and the associated sales occurred with use of the Internet (Section 144.605). TAXING JURISDICTION DATABASE This bill requires the Director of the Department of Revenue to provide and maintain a downloadable electronic database at no cost to the user for taxing jurisdiction boundary changes and tax rates. Such databases may be directly provided by the director or may be provided by a third party as designated by the director. Vendors will not be liable for reliance upon erroneous data provided by the director on tax rates, boundaries, or taxing jurisdiction assignments (Section 144.637). MARKETPLACE FACILITATORS By January 1, 2021, marketplace facilitators, as defined in the bill, that meet the use tax economic nexus threshold established in the bill must register with the Department of Revenue to collect and remit use tax on sales made into the state through the marketplace facilitator's marketplace by or on behalf of a marketplace seller, as defined in the bill. These retail sales will include those made directly by the marketplace facilitator as well as those made by marketplace sellers through the marketplace facilitator's marketplace, as defined in the bill. Marketplace facilitators properly collecting and remitting use tax in a timely manner will be eligible for any discount provided for currently. Marketplace facilitators must provide purchasers with a statement or invoice showing that the use tax was collected and will be remitted on the purchaser's behalf (Section 144.752). OTHER PROVISIONS OF THE BILL Any department that has the Constitutional authority to collect sales and use tax under Article IV of the Constitution of Missouri may remit any new revenue collected under the provisions of the bill to the General Revenue Fund (Section 144.605). The bill specifies that new revenue collected under the provisions of the bill that would be deposited into the school district trust fund will now be deposited into the state General Revenue Fund (Section 144.701). This bill specifies that any vendor meeting the provisions of the economic nexus, as defined in the bill, with the state of Missouri, will not be subject to use taxes of a political subdivision in this state unless the use tax is approved or reapproved by the voters of the political subdivision (Section 144.605). Ballot language for approval or reapproval by the voters of the political subdivision is included in this bill (Section 144.757). Ways & Means Committee. Heard 1/15. Passed Committee 1/29. Referred to Rules Committee. Returned to Ways & Means Committee. Passed Committee 2/10. Referred Rules Committee. Passed Committee 3/5. **House Informal Perfection Calendar.**

[HB 1967](#) (Love) - creates the "Streamlined Sales and Use Tax Agreement Act" and requires the Director of the Department of Revenue to enter into the "Streamlined Sales and Use Tax Agreement" with one or more states to simplify and modernize sales and use tax administration in order to substantially reduce the burden of tax compliance for all sellers and types of commerce. Additionally, this bill creates the "Streamlined Sales and Use Tax Agreement Special Fund" which will consist of the revenue generated by this bill and will be transferred to pay for outstanding transportation bond debt. These provisions will sunset five years after the effective date of the bill (Section 32.070). Ways & Means Committee. Heard 2/12.

[HB 2253](#) (Windham) - repeals the statutory provisions imposing a sales tax on food and authorizes a new estate tax to offset lost revenue.

[HB 2665](#) (Gray) - exempts food from local sales tax (Oppose)

[HJR 64](#) (Ellebracht) - Constitutional amendment to freeze property taxes for low income seniors. Ways & Means Committee.

[HJR 74](#) (Washington) - Constitutional amendment to freeze the assessment values of any residential real property for the duration of time under which such property is located in a legally defined subdivision immediately adjacent to any subdivision that receives tax abatement. Ways & Means Committee. Heard 2/26.

SCS [SB 526](#) (Emery) - modifies provisions relating to communications services offered in political subdivisions. No political subdivision shall require a telecommunications company to obtain a written agreement, other than a permit, for use of the public right-of-way. Nothing in the provisions of law relating to the public right-of-way shall prohibit a political subdivision or public utility right-of-way user from renewing or entering into a new or existing franchise, upon mutual agreement. Further, nothing in those provisions of law shall prevent a grandfathered political subdivision from charging a public right-of-way user a fair and reasonable linear foot fee or antenna fee pursuant to or from otherwise enforcing existing linear foot ordinances that were in effect on May 1, 2001. The act repeals a provision stating that nothing shall prevent a grandfathered political subdivision from enacting new ordinances, including amendments of existing ordinances. No political subdivision shall impose a linear foot fee to be charged to any entity that holds a franchise or video service authorization. The act modifies the definition of "gross revenues". Currently, franchise entities may collect a video service provider fee equal to not more than 5% of the gross revenues of a video service provider providing service in the geographic area of such franchise entity. Under the act, a franchise entity may collect a video service provider fee equal to not more than 5% of the first \$40 of the gross revenues charged to each customer of a video service provider that is providing video service in the geographic area of such franchise entity. Finally, the act repeals the sunset date for the Uniform Small Wireless Facility Deployment Act. **Will significantly reduce municipal revenues.** (Oppose). Commerce Committee. Heard 2/5. Committee Substitute Passed Committee 2/12. **Senate Informal Perfection Calendar and could be debated at any time. Contact Senators to urge opposition.**

SCS [SB 529](#) (Cunningham) - modifies several provisions relating to use taxes.

USE TAX MAPPING Current law requires the Department of Revenue to create and maintain a mapping feature on its website that displays various sales tax information. This act requires such mapping feature to include use tax information. (Section 32.310)

ECONOMIC NEXUS Beginning October 1, 2020, this act provides that a vendor shall be considered to be engaging in business activities in this state if such vendor had cumulative gross receipts of at least \$100,000 from the sale of tangible personal property for the purpose of storage, use, or consumption in this state in the previous twelve-month period, as described in the act. Vendors meeting such criteria shall be required to collect and remit the use tax as provided under current law. Eighty percent of the use tax revenue collected from remittances made pursuant to this provision shall be deposited in the School Transportation Fund, which is created by the act, to fund school district transportation costs pursuant to current law. The remaining twenty percent of use tax revenues shall be deposited in the County Jail Reimbursement Fund, which is created by the act, to fund reimbursements made to counties for certain jail costs as provided under current law. (Section 144.605)

TAXING JURISDICTION DATABASES This act requires the Director of Revenue to provide and maintain a downloadable electronic database at no cost to the user of the database for taxing jurisdiction boundary changes and tax rates. Such databases may be directly provided by the Director, or may be provided by a third party as designated by the Director.

Vendors shall not be liable for reliance upon erroneous data provided by the Director on tax rates, boundaries, or taxing jurisdiction assignments. (Section 144.637)

LOCAL USE TAX BALLOT LANGUAGE This act modifies ballot language required for the submission of a local use tax to voters by including language stating that the approval of the local use tax will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers. (Section 144.757). **This act provides that the portion of the local use tax imposed by St. Louis County shall be distributed to the cities, towns, villages, and unincorporated areas of the county on the ratio of the population that each such city, town, village, and unincorporated area bears to the total population of the county. (Section 144.759)**

MARKETPLACE FACILITATORS By January 1, 2022, marketplace facilitators, as defined in the act, that meet the use tax economic nexus threshold established in the act shall register with the Department to collect and remit sales and use tax on sales made into the state through the marketplace facilitator's marketplace by or on behalf of a marketplace seller, as defined in the act. Such retail sales shall include those made directly by the marketplace facilitator as well as those made by marketplace sellers through the marketplace facilitator's marketplace. Marketplace facilitators shall report and remit sales and use tax collected under this act on a separate form developed by the Department. Marketplace facilitators properly collecting and remitting sales and use tax in a timely manner shall be eligible for any discount provided for under current law. Marketplace facilitators shall provide purchasers with a statement or invoice showing that the sales and use tax was collected and shall be remitted on the purchaser's behalf. No class action shall be brought against a marketplace facilitator in any court in this state on behalf of purchasers arising from or in any way related to an overpayment of sales or use tax collected on retail sales facilitated by a marketplace facilitator, regardless of whether that claim is characterized as a tax refund claim. If the Department audits a marketplace facilitator, it shall only audit such facilitator and not the marketplace sellers on behalf of whom the marketplace facilitator facilitates sales. Marketplace facilitators may apply to the Department for relief from liability for the failure to collect and remit the correct amount of sales or use tax on retail sales facilitated for marketplace sellers under certain circumstances, as described in the act. Relief from liability shall be a percentage of the sales and use tax collected by the marketplace facilitator, with such percentage being four percent for sales made during the 2022 calendar year, two percent for sales made during the 2023 calendar year, one percent for sales made during the 2024 calendar year, and zero percent thereafter. The Department may grant a waiver from the requirements of the act if a marketplace facilitator demonstrates to the satisfaction of the Department that all of its marketplace sellers are already registered to collect and remit sales and use tax. If such waiver is granted, the sales or use tax due shall be collected and remitted by the marketplace seller. Local Government Committee. Heard 1/29. Passed Committee 2/12. **Senate Informal Perfection Calendar.**

SB 579 (Cierpiot) - modifies several provisions relating to property tax assessments.

PROPERTY TAX REVENUE GROWTH LIMIT Current law allows for inflationary assessment growth for real and personal property within a political subdivision, with the inflationary growth factor limited to the actual assessment growth, exclusive of new construction and improvements, but not to exceed inflation or five percent, whichever is lower. This act modifies the inflationary growth factor to the actual assessment growth, exclusive of new construction and improvements, but not to exceed 80% of inflation or five percent, whichever is lower. (Section 137.073)

PROPERTY ASSESSMENT GROWTH Current law requires assessors to assess real property on January 1 of each odd numbered year, and to apply such assessed values in the following even-numbered year. This act provides that if the new assessed value exceeds the assessed value of the property from the previous odd-numbered year by more than 15%, half of such growth in assessed value shall be applied in the current odd-numbered year, and the remaining amount shall be applied in the following even numbered year. For residential real property, current law requires county assessors to make a physical inspection of a property prior to increasing the assessed valuation of such property by more than fifteen percent over the prior assessed valuation. Additionally, the St. Louis County assessor is required to send notice to property owners when increasing the assessed valuation by more than fifteen percent, and such property owners may request an interior inspection. This act applies such notification and physical inspection provisions to all counties in the state. (Section 137.115)

PROPERTY ASSESSMENT APPEAL This act provides that any assessed valuation for a parcel of residential real property that exceeds the previous assessed value for such property by more than 15% shall be automatically reviewed by the county board of equalization, regardless of whether the property owner has filed a timely appeal. The assessor shall

notify the property owner in writing that the assessed valuation is being reviewed and that the property owner shall be entitled to be heard at the hearing of the board of equalization. (Section 137.180) For property assessment appeals to the boards of equalization in the City of St. Louis, St. Charles County, and St. Louis County, current law provides that the assessor shall have the burden to prove that the valuation does not exceed the true market value of the property. Additionally, if a physical inspection of a property is required for assessment, the assessor shall have the burden to prove that such inspection was performed. If the assessor fails to provide sufficient evidence that the inspection was performed, the property owner shall prevail on the appeal as a matter of law. This act applies such provisions to all counties. Ways & Means Committee.

SCS [SB 648](#) (Koenig) - modifies several provisions relating to taxation.

INDIVIDUAL INCOME TAX

For all tax years beginning after the final incremental tax rate reduction in current law, this act reduces the top rate of tax by 0.3%, with an eventual top rate of tax of 4.8%. (Section 143.011)

CORPORATE TAXATION

This act adds "qualified air freight forwarders", as defined in the act, to the definition of "corporation" as a transportation corporation for the purposes of corporate income allocation. (Section 143.441)

USE TAX ECONOMIC NEXUS

Beginning January 1, 2022, this act provides that all vendors without a physical presence in this state making sales of tangible personal property for delivery into this state shall be required to collect and remit any use tax due as if such vendor maintained a physical presence in the state. This provision shall only apply to vendors who make at least \$100,000 in gross revenue from the delivery of tangible personal property into this state in the previous or current calendar year.

No obligation to collect and remit use tax under this provision shall be applied prior to January 1, 2022.

The use tax collections made under the provisions of this act shall be deposited in the General Revenue Fund as provided under current law. (Section 144.612)

MARKETPLACE FACILITATORS

By January 1, 2022, marketplace facilitators, as defined in the act, that meet the use tax economic nexus threshold established in the act shall register with the Department to collect and remit sales and use tax on sales made into the state through the marketplace facilitator's marketplace by or on behalf of a marketplace seller, as defined in the act. Such retail sales shall include those made directly by the marketplace facilitator as well as those made by marketplace sellers through the marketplace facilitator's marketplace. Sales made through a marketplace facilitator shall be deemed to be consummated at the location to which the item is shipped or delivered, or at which possession is taken by the purchaser.

Marketplace facilitators shall report and remit sales and use tax collected under this act on a separate form developed by the Department. Marketplace facilitators properly collecting and remitting sales and use tax in a timely manner shall be eligible for any discount provided for under current law.

Marketplace facilitators shall provide purchasers with a statement or invoice showing that the sales and use tax was collected and shall be remitted on the purchaser's behalf.

No class action shall be brought against a marketplace facilitator in any court in this state on behalf of purchasers arising from or in any way related to an overpayment of sales or use tax collected on retail sales facilitated by a marketplace facilitator, regardless of whether that claim is characterized as a tax refund claim.

If the Department audits a marketplace facilitator, it shall only audit such facilitator and not the marketplace sellers on behalf of whom the marketplace facilitator facilitates sales.

Marketplace facilitators may apply to the Department for relief from liability for the failure to collect and remit the correct amount of sales or use tax on retail sales facilitated for marketplace sellers under certain circumstances, as

described in the act. Relief from liability shall be a percentage of the sales and use tax collected by the marketplace facilitator, with such percentage being four percent for sales made during the 2022 calendar year, two percent for sales made during the 2023 calendar year, one percent for sales made during the 2024 calendar year, and zero percent thereafter.

The Department may grant a waiver from the requirements of the act if a marketplace facilitator demonstrates to the satisfaction of the Department that all of its marketplace sellers are already registered to collect and remit sales and use tax. If such waiver is granted, the sales or use tax due shall be collected and remitted by the marketplace seller. (Section 144.752)

SALES TAX ADMINISTRATION

This act provides that any local sales tax changes due to a boundary change shall take effect on the first day of the calendar quarter 120 days after the sellers receive notice of the change.

The effective date for the imposition, repeal, or rate change of each local sales and use tax shall be the first day of the calendar quarter at least 120 days after the sellers receive notice of the change. (Section 32.087)

This act makes changes to several sections of law relating to local sales taxes in order to make the administration of such taxes uniform. (Sections 66.601 to 94.705, 184.845, 221.407, 238.235, 238.410, 644.032)

This act modifies certain exemptions from state sales tax to make such exemptions uniform across the state and local sales tax bases. (Section 144.030)

The school and Show Me Green sales tax holidays are modified by repealing the ability for political subdivisions to opt out of the sales tax holidays, and by defining how the sales tax exemption applies to the purchase or return of certain items. (Sections 144.049 and 144.526)

This act relieves a purchaser from any penalties for failure to pay the proper amount of sales tax if the error was a result of erroneous information provided by the Director of Revenue. (Section 144.060)

A certified service provider (CSP), as defined in the act, shall not be certified unless it meets certain requirements relating to the security and privacy of purchasers' information, as described in the act. (Section 144.109)

The Director shall provide and maintain downloadable electronic databases at no cost to the user of the databases for taxing jurisdiction boundary changes, tax rates, and a taxability matrix detailing taxable property and services. Sellers and CSPs will be relieved from liability if they fail to properly collect tax based upon information provided by the Department. Certified service providers, sellers, and marketplace facilitators may utilize proprietary data, provided the Director certifies that such data meets the standards provided for under the act. (Sections 144.123 and 144.124)

This act provides that a cause of action against a seller by a purchaser for a tax erroneously or illegally collected shall not accrue until the purchaser has provided written notice to a seller and the seller has had sixty days to respond. A seller shall be presumed to have a reasonable business practice if in the collection of such tax the seller uses a provider, or a system certified by the Director of Revenue and has remitted all tax collected. (Section 144.190)

Monetary allowances from taxes collected shall be provided to certain sellers and certified service providers for collecting and remitting state and local taxes, as described in the act. (Section 144.140)

This act repeals a provision which requires the Director to establish brackets showing the amounts of tax to be collected on sales of specified amounts. Instead, the tax computation shall be carried to the third decimal place, and the tax shall be rounded to a whole cent using a method that rounds up to the next cent whenever the third decimal place is greater than four. (Section 144.285).

This act provides that all provisions of law with respect to sales into the state by out-of-state sellers apply to the Compensating Use Tax Law. (Section 144.600)

These provisions are substantially similar to provisions contained in SS/SCS/SBs 46 & 50 (2019) and are similar to SS#2/SCS/SBs 617, 611, & 667 (2018), HB 1479 (2018), HB 1699 (2018), HB 1836 (2018), HB 2162 (2018), HB 2269 (2018), SCS/SB 105 (2017), SCS/SB 795 (2016), HB 726 (2015), HB 727 (2015), and HCS/HB 1356 (2013), and to provisions contained in HB 2691 (2018), HB 500 (2013), HB 422 (2013), HB 521 (2013), and HB 579 (2013).

LOCAL SALES AND USE TAXES

For all tax years beginning on or after January 1, 2022, this act places a limit on the total combined rate of local sales taxes by providing that the total combined rate of local sales taxes imposed by a taxing entity that is an incorporated city, town, or village shall not exceed 4.5%. The total combined rate of local sales taxes imposed by a county shall not exceed 3.5%. For all other taxing jurisdictions, the total combined rate of sales taxes in any given taxing jurisdiction shall not exceed 3.25%. Such limits shall not apply to transient guest taxes or convention and tourism taxes.

In any election in which more than one sales tax levy is approved by the voters, and the passage of such levies results in a combined rate of sales tax in excess of the limits provided under the act, only the sales tax levy receiving the most votes shall become effective.

For all tax years beginning on or after January 1, 2022, all taxing jurisdictions levying a local sales tax shall reduce such levy to a rate that will produce substantially the same amount of revenue collected from such sales tax during fiscal year 2020, plus five percent of such amount. Such taxing jurisdictions shall provide data to the State Auditor substantiating that such tax rate complies with such rollback, as described in the act. (Section 32.087) ~~This section has been removed from the Senate Substitute bill.~~

~~The distribution for the countywide one cent and the Prop P sales taxes has been amended to distribute these taxes on a population basis to the municipalities and the County. This would only apply if County voters approve the countywide use tax.~~

This act modifies ballot language required for the submission of a local use tax to voters by including language stating that the approval of the local use tax will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers. (Section 144.757)

This provision is identical to a provision contained in SB 189 (2019).

EFFECTIVE DATE

The provisions of this act relating to sales tax administration, use taxes, and the income tax rate reduction shall become effective January 1, 2022. The remaining provisions shall become effective August 28, 2020. Ways & Means Committee. Heard 2/11. Passed Committee 2/13. ~~Senate Informal Perfection Calendar.~~

SB 659 (Arthur) - Various Tax Provisions -

USE TAX ECONOMIC NEXUS Beginning January 1, 2022, this act provides that all vendors without a physical presence in this state making sales of tangible personal property for delivery into this state shall be required to collect and remit any use tax due as if such vendor maintained a physical presence in the state. This provision shall only apply to vendors who make at least \$100,000 in gross revenue from the delivery of tangible personal property into this state in the previous or current calendar year. No obligation to collect and remit use tax under this provision shall be applied prior to January 1, 2022. The use tax collections made under the provisions of this act shall be deposited in the General Revenue Fund as provided under current law. (Section 144.612)

MARKETPLACE FACILITATORS By January 1, 2022, marketplace facilitators, as defined in the act, that meet the use tax economic nexus threshold established in the act shall register with the Department to collect and remit sales and use tax on sales made into the state through the marketplace facilitator's marketplace by or on behalf of a marketplace seller, as defined in the act. Such retail sales shall include those made directly by the marketplace facilitator as well as those made by marketplace sellers through the marketplace facilitator's marketplace. Sales made through a marketplace facilitator shall be deemed to be consummated at the location to which the item is shipped or delivered, or at which possession is taken by the purchaser. Marketplace facilitators shall report and remit sales and use tax collected under this act on a separate form developed by the Department. Marketplace facilitators properly collecting and remitting sales and use tax in a timely manner shall be eligible for any discount provided for under current law. Marketplace facilitators shall provide purchasers with a statement or invoice showing that the sales and use tax was collected and shall be remitted on the purchaser's behalf. No class action shall be brought against a marketplace facilitator in any court in this state on behalf of purchasers arising from or in any way related to an overpayment of sales or use tax collected on retail sales facilitated by a marketplace facilitator, regardless of whether that claim is characterized as a tax refund claim. If the Department audits a marketplace facilitator, it shall only audit such facilitator and not the

marketplace sellers on behalf of whom the marketplace facilitator facilitates sales. Marketplace facilitators may apply to the Department for relief from liability for the failure to collect and remit the correct amount of sales or use tax on retail sales facilitated for marketplace sellers under certain circumstances, as described in the act. Relief from liability shall be a percentage of the sales and use tax collected by the marketplace facilitator, with such percentage being four percent for sales made during the 2022 calendar year, two percent for sales made during the 2023 calendar year, one percent for sales made during the 2024 calendar year, and zero percent thereafter. The Department may grant a waiver from the requirements of the act if a marketplace facilitator demonstrates to the satisfaction of the Department that all of its marketplace sellers are already registered to collect and remit sales and use tax. If such waiver is granted, the sales or use tax due shall be collected and remitted by the marketplace seller.

The school and Show Me Green sales tax holidays are modified by repealing the ability for political subdivisions to opt out of the sales tax holidays, and by defining how the sales tax exemption applies to the purchase or return of certain items. Ways & Means Committee.

SB 675 & 705 (Luetkmeyer) - provides that the assessed valuation for residential real property shall not exceed the previous assessed valuation for such property, exclusive of new construction and improvements, by more than five percent or the percent increase in inflation, whichever is greater. Ways & Means Committee. Heard 2/11. Passed Committee 2/13. **Senate Perfection Calendar.**

SB 791 (Eigel) - requires a county, municipality, or other political subdivision to mail a notice to each impacted taxpayer at least thirty days prior to any vote authorizing the extension of one or more bonds. Such notice shall include a statement indicating the dollar amount by which the taxpayer's property tax liability shall be decreased and the amount by which the debt service levy or other tax levy enacted for the purpose of retiring such bonds will be reduced if such bonds are not extended and new bonds are not issued. This act also provides that any proposal by a county, municipality, or other political subdivision for the extension of one or more bonds that is submitted to the voters for approval shall not become effective unless it receives a qualified majority in favor and at least 50% of qualified voters cast a ballot in the election. (Section 67.120) During the calendar year prior to the retirement of any bonds or other debt obligations issued by a political subdivision, this act requires assessors to include on each affected taxpayer's property tax bill a statement indicating the dollar amount by which the taxpayer's property tax liability shall be decreased and the amount by which the debt service levy or other tax levy enacted for the purpose of retiring such bonds will be reduced if such bonds are not extended and new bonds are not issued. (Section 137.532) Local Government Committee.

SB 805 (Hoskins) - modifies several provisions relating to sales taxes.

SALES AND USE TAX MAPPING - Current law requires the Department of Revenue to create and maintain a mapping feature on its website that displays various sales tax information. This act requires such mapping feature to include use tax information. (Section 32.310)

SALES TAX RATES - For all tax years beginning on or after January 1, 2021, all taxing jurisdictions levying a local sales tax shall reduce such levy to a rate that will produce substantially the same amount of revenue collected from such sales tax during fiscal year 2019, plus five percent of such amount. Such taxing jurisdictions shall provide data to the State Auditor substantiating that such tax rate complies with such rollback, as described in the act. (Section 32.087) Current law imposes a statutory state sales tax at a rate of 4%. Beginning January 1, 2022, this act reduces such rate by an amount to be determined under an agreement between the Director of Revenue and the State Treasurer and shall be an amount that is substantially equivalent to the use tax collections made under the provisions of this act during the 2021 calendar year. (Section 144.020)

ECONOMIC NEXUS - Beginning January 1, 2021, this act provides that a vendor shall be considered to be engaging in business activities in this state if such vendor had cumulative gross receipts of at least \$100,000 from the sale of tangible personal property for the purpose of storage, use, or consumption in this state in the previous twelve-month period, as described in the act. Vendors meeting such criteria shall be required to collect and remit the use tax as provided under current law. (Section 144.605)

TAXING JURISDICTION DATABASE - This act requires the Director of Revenue to provide and maintain a downloadable electronic database at no cost to the user of the database for taxing jurisdiction boundary changes and tax rates. Such databases may be directly provided by the Director or may be provided by a third party as designated by the Director. Vendors shall not be liable for reliance upon erroneous data provided by the Director on tax rates, boundaries, or taxing jurisdiction assignments. (Section 144.637)

LOCAL USE TAX BALLOT LANGUAGE - This act modifies ballot language required for the submission of a local use tax to voters by including language stating that the approval of the local use tax will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers. (Section 144.757)

MARKETPLACE FACILITATORS - By January 1, 2021, marketplace facilitators, as defined in the act, that meet the use tax economic nexus threshold established in the act shall register with the Department to collect and remit sales and use tax on sales made into the state through the marketplace facilitator's marketplace by or on behalf of a marketplace seller, as defined in the act. Such retail sales shall include those made directly by the marketplace facilitator as well as those made by marketplace sellers through the marketplace facilitator's marketplace. Marketplace facilitators shall report and remit sales and use tax collected under this act on a separate form developed by the Department. Marketplace facilitators properly collecting and remitting sales and use tax in a timely manner shall be eligible for any discount provided for under current law. Marketplace facilitators shall provide purchasers with a statement or invoice showing that the sales and use tax was collected and shall be remitted on the purchaser's behalf. No class action shall be brought against a marketplace facilitator in any court in this state on behalf of purchasers arising from or in any way related to an overpayment of sales or use tax collected on retail sales facilitated by a marketplace facilitator, regardless of whether that claim is characterized as a tax refund claim. If the Department audits a marketplace facilitator, it shall only audit such facilitator and not the marketplace sellers on behalf of whom the marketplace facilitator facilitates sales. Marketplace facilitators may apply to the Department for relief from liability for the failure to collect and remit the correct amount of sales or use tax on retail sales facilitated for marketplace sellers under certain circumstances, as described in the act. Relief from liability shall be a percentage of the sales and use tax collected by the marketplace facilitator, with such percentage being four percent for sales made during the 2021 calendar year, two percent for sales made during the 2022 calendar year, one percent for sales made during the 2023 calendar year, and zero percent thereafter. The Department may grant a waiver from the requirements of the act if a marketplace facilitator demonstrates to the satisfaction of the Department that all of its marketplace sellers are already registered to collect and remit sales and use tax. If such waiver is granted, the sales or use tax due shall be collected and remitted by the marketplace seller. (Section 144.752) Small Business Committee.

[SB 872](#) - (Crawford) - modifies several provisions relating to use taxes.

USE TAX MAPPING

Current law requires the Department of Revenue to create and maintain a mapping feature on its website that displays various sales tax information. This act requires such mapping feature to include use tax information. Political subdivisions collecting a use tax shall send such data to the Department of Revenue by January 1, 2021, and the Department shall implement the mapping feature using the use tax data by August 28, 2021. (Section 32.310)

CASH OPERATING EXPENSE FUND

This act establishes the "Cash Operating Expense Fund", which shall consist of use tax revenues collected under the provisions of this act from marketplace facilitators; any funds appropriated to the Office of the Governor for expenses incident to emergency duties performed by the National Guard, matching funds for federal grants and emergency assistance, and expenses of any state agency responding during a declared emergency, as described in the act, that are unexpended at the end of a fiscal year; and moneys appropriated by the General Assembly. The Governor may transfer moneys from the fund into the General Revenue Fund in any fiscal year in which actual revenues are less than the revenue estimates upon which appropriations were based or in which there is a budget need due to a natural disaster, as proclaimed by the Governor to be an emergency. If the balance in the fund at the close of any fiscal year exceeds 2.5% of net General Revenue collections for the previous year, such excess shall be divided evenly between the State Road Fund and debt retirement related to bonds issued by or on behalf of the state, as described in the act. (Section 33.575)

ECONOMIC NEXUS

Beginning January 1, 2022, this act modifies the definition of "engaging in business activities in this state" for use tax purposes to include selling tangible personal property for delivery into this state, provided such vendor had cumulative gross receipts of at least \$100,000 from such sales in the previous or current calendar year. (Section 144.605)

TAXING JURISDICTION DATABASE

This act requires the Director of Revenue to provide and maintain a downloadable electronic database at no cost to the user of the database for taxing jurisdiction boundary changes and tax rates. Such databases may be directly provided by the Director or may be provided by a third party as designated by the Director. Vendors shall not be liable for reliance upon erroneous data provided by the Director on tax rates, boundaries, or taxing jurisdiction assignments. (Section 144.637)

MARKETPLACE FACILITATORS

By January 1, 2022, marketplace facilitators, as defined in the act, that engage in business activities in the state shall register with the Department to collect and remit use tax on sales made into the state through the marketplace facilitator's marketplace by or on behalf of a marketplace seller, as defined in the act. Such retail sales shall include those made directly by the marketplace facilitator as well as those made by marketplace sellers through the marketplace facilitator's marketplace. Marketplace facilitators properly collecting and remitting use tax in a timely manner shall be eligible for any discount provided for under current law. Marketplace facilitators shall provide purchasers with a statement or invoice showing that the use tax was collected and shall be remitted on the purchaser's behalf. (Section 144.752)

LOCAL USE TAX BALLOT LANGUAGE

This act modifies ballot language required for the submission of a local use tax to voters by including language stating that the approval of the local use tax will eliminate the disparity in tax rates collected by local and out-of-state sellers by imposing the same rate on all sellers. (Section 144.757) This provision is identical to a provision contained in SCS/SB 189 (2019).

EFFECTIVE DATE

The provision relating to establishing the Cash Operating Expense Fund contains an emergency clause. The provisions relating to economic nexus and marketplace facilitators shall become effective January 1, 2022. The remaining provisions shall become effective August 28, 2020. Local Government Committee.

[SB 1084](#) (Brown) - any business license tax renewed or imposed on a telecommunications company shall be limited to the gross receipts resulting from the retail sale of basic local telecommunications service and derived from the furnishing of such service entirely within the municipality. Provisions of law relating to interest on judgment balances shall apply to fees and costs due pursuant to provisions of law relating to the public right-of-way. The act states that no additional fees, penalties, or interest shall be imposed by political subdivisions for delinquent taxes due as a result of the imposition of a license tax by any municipal corporation or fees or costs due pursuant to provisions of law relating to the public right-of-way. All suits involving a dispute or seeking the collection of unpaid license taxes pursuant to a provision of law about St. Louis County utility license taxes, or fees or costs due pursuant to provisions of law relating to the public right-of-way, shall be brought within 3 years of the date the taxes, costs, or fees are due and payable.

[SJR 36](#) (Holsman) - exempts personal property over 10 years old from property tax. Ways & Means Committee.

[SJR 44](#) (Eigel) - eliminates personal property tax (Oppose) Ways & Means Committee. Heard 2/18. Passed Committee 2/25. **Senate Perfection Calendar.**

[SJR 45](#) (Cierpoit) - constitutional amendment would provide that, in any county or other political subdivision which levies a property tax, sales tax, or any other tax solely for a specific purpose, and whose boundaries overlap the boundaries of another political subdivision which also levies a property tax, sales tax, or any other tax solely for the same purpose, persons residing in such overlapping boundaries shall only be required to remit such tax to one taxing jurisdiction. The local election authority shall submit to the voters living within the overlapping boundaries the question

of from which political subdivision such voters shall continue to receive services from and to which political subdivision the voters shall remit the tax. Local Government Committee. **Heard 3/11.**

[SJR 48](#) (Luetkmeyer) - allows the growth in assessed values to be limited by law. Ways & Means Committee. Heard 2/11. Passed Committee 2/13. **Senate Perfection Calendar.**

Transportation & Vehicle Bills

[HB 1433](#) (Kendrick) - would increase the current gas tax of \$0.17 per gallon to \$0.19 per gallon on January 1, 2021. Additionally, this bill would then reduce the gas tax to \$0.18 per gallon on January 1, 2031 for all years thereafter. (Support)

[HB 1476](#) (Runions) - Beginning January 1, 2021, this bill increases the gas tax to 19 cents per gallon with a two cent per year increase until the total increased gas tax rate is 23 cents per gallon. (Support)

[HB 1477](#) (Butz) - will increase the tax on motor fuel by 10 cents from its current level of 17 cents per gallon to 27 cents per gallon using incremental increases of two cents per gallon beginning January 1, 2021, and ending on January 1, 2025. It would also require alternative fuels to be taxed at a substantially similar rate approved by the Department of Agriculture beginning January 1, 2027. (Support)

[HB 1754](#) (Spencer) - prohibits the use of automated traffic enforcement systems to establish evidence a motor vehicle or its operator has committed a traffic-related offense, or to impose or collect any civil or criminal fine, fee, or penalty for such offense. As specified in the bill, the term "automated traffic enforcement system" does not include systems or devices that would qualify as a "mobile video recorder" under the Sunshine Law.

[HB 1971](#) (Griesheimer) - Beginning January 1, 2021, this bill increases the tax on all motor fuel by 1% each year until the rate reaches 4% in 2024. This bill also removes the sales tax exemption on motor fuel used in certain situations, defined in the bill. This provision will be effective only if approved by the voters.

[HB 2278](#) (Butz) -increases gas tax to 18 cents (Support)

[HJR 71](#) (Messenger) - Constitutional amendment to approve the construction of toll roads.

[SB 539](#) (Libla) - increases the tax on gasoline from 17 to 19 cents per gallon, and the tax on diesel fuel from 17 to 23 cents per gallon. Beginning one year after the effective date of the act, the taxes on gasoline, diesel fuel, and motor fuels other than gasoline or diesel fuel shall be adjusted annually for inflation. (Support) Transportation Committee. Heard 1/16. Passed Committee 1/16. **Senate Informal Perfection Calendar.**

[SB 641](#) (Onder) - Current law provides that, of the 4% statutory sales and use tax rate, 1% is provided for education and 3% is deposited in the General Revenue Fund. This act requires that 0.5% of the 3% deposited in the General Revenue Fund shall instead be deposited into the State Road Fund. The remaining 2.5% shall continue to be deposited into the General Revenue Fund. The act phases in the amount deposited into the State Road Fund over a period of five years, with an increase of 0.1% each year. Transportation Committee.

[SB 709](#) (Eigel) - prohibits the use of automated traffic enforcement systems to establish evidence a motor vehicle or its operator has committed a traffic-related offense, or to impose or collect any civil or criminal fine, fee, or penalty for such offense. As used in the act, the term "automated traffic enforcement system" does not include systems or devices that would qualify as a "mobile video recorder" under the Sunshine Law. General Laws Committee.

[SB 882](#) (Wieland) - enacts provisions relating to transportation devices. The act modifies the state's model local traffic ordinances, which political subdivisions may but are not required to adopt, to provide that motorized bicycles weighing less than 60 pounds may be operated on a sidewalk in accordance with the current requirements for bicycles. (Section 300.347) The act specifies that motorized bicycles shall be considered vehicles for the purposes of public safety offenses. (Section 307.180). No person under the age of 16 years shall operate a shared motorized bicycle (SMB), as defined in the act, in this state. (Section 307.220.2). No person shall operate a SMB in the state at a speed greater than 15 miles per hour. (Section 307.220.3). No person shall park a motorized bicycle on a sidewalk in a way that impedes pedestrians, nor in violation of county or municipal parking regulations. (Section 307.220.4). A violation of these provisions shall be a

class D misdemeanor. (Section 307.220.8) A SMB shall be labeled with visible language identifying its use in a SMB system, and shall bear a unique identification number as specified in the act. (Section 307.220.5-6). No SMB system shall operate or deploy SMBs in the state without providing insurance coverage as specified in the act. No SMB system shall operate or deploy SMBs, or allow SMBs to be operated or deployed, in violation of this act or of any ordinance or rule adopted by a political subdivision. (Section 307.220.7). The owner or operator of a SMB system operating or deploying a SMB in violation of these provisions shall be guilty of a class D misdemeanor. (Section 307.220.8) Counties and municipalities may regulate or prohibit the operation of SMBs and SMB systems within their jurisdiction, including but not limited to requiring protective headgear, and may provide for separate or modified regulations or prohibitions based on vehicle characteristics or operator age. (Section 307.224.1). No SMB system shall operate or deploy SMBs without first obtaining authorization or permission from the county or municipality in which the SMBs will be operated or deployed. Authorization or permission to operate a SMB or SMB system may be conditioned on certain requirements as specified in the act. (Section 307.224.2). Counties and municipalities may require the operator of a SMB system to provide anonymized fleet and ride activity data, provided that individuals' privacy is protected as specified in the act. (Section 307.224.3). Information received under these provisions shall be subject to disclosure under the Sunshine Law only after aggregation and anonymization sufficient to protect individuals' privacy. (Section 307.224.4) The act also requires SMB systems to provide insurance coverage as specified in the act. (Section 379.1750). A SMB system shall maintain, for the operation and charging of SMBs, a policy of commercial general liability insurance in the amount of \$1,000,000 per occurrence for death, bodily injury, and property damage. (Section 379.1750.2). The required coverage shall provide coverage beginning with the first dollar of the claim and shall specify that the insurer has a duty to defend the claim. (Section 379.1750.3). The policy may be placed with an insurer licensed in this state to sell the policy, or by an eligible surplus lines producer as provided by law. (Section 379.1750.4). Other insurers issuing motor vehicle or other insurance may exclude or limit coverage for the operation of SMBs. (Section 379.1750.5) Insurance/Banking Committee. Heard 3/4.