

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE continuing in Jackson County, Missouri, a countywide sales tax at the rate of one-quarter of one percent for a period of seven years solely for the purpose of arrest and prosecution of those accused of drug-related offenses, the prevention of such offenses, and the incarceration, rehabilitation, treatment, and judicial processing of adult and juvenile violators of drug-related offenses, repealing sections 9301., 9303., 9305., and 9306., Jackson County Code, 1984, relating to the anti-drug sales tax, and enacting six new sections in lieu thereof, relating to the same subject.

ORDINANCE #2490, November 13, 1995

INTRODUCED BY James D. Tindall, County Legislator

WHEREAS, the County Legislature of Jackson County, Missouri did by Ordinance 2448 submit to the qualified voters of Jackson County at a special election held on November 7, 1995, a question authorizing Jackson County to continue a countywide sales tax at a rate of one-quarter of one percent for a period of seven years solely for the purpose of arrest and prosecution of those accused of drug-related offenses, the prevention of such offenses, and the incarceration, rehabilitation, treatment, and judicial processing of adult and juvenile violators of drug-related offenses; and,

WHEREAS, at said special election the qualified voters did, by a majority vote, vote in favor of the question as submitted; therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section A. Enacting Clause. Sections 9301., 9303., 9305., and 9306., Jackson County Code, 1984, are hereby repealed and six new sections enacted in lieu thereof, to be known as sections 9301., 9303., 9305., 9306., 9307., and 9308., to read as follows:

9301. Tax Imposed.

Pursuant to the provisions of §§ 67.547 et seq., RSMo, as amended, there is hereby imposed in Jackson County, Missouri, a countywide sales tax (COMBAT) at the rate of one-quarter of one percent solely for the purpose of the arrest and prosecution of drug related offenses, the prevention of such offenses, and the incarceration, rehabilitation, treatment, and judicial processing of adult and juvenile violators of drug related offenses.

9303. Appropriation for Arrest, Prosecution, and Incarceration.

Each year not less than 50% of the proceeds of the anti-drug sales tax shall be appropriated for the arrest, prosecution, and incarceration of those accused of drug related offenses.

9305. COMBAT Commission Established.

A COMBAT Commission shall be established and organized as follows:

9305.1 Composition.

The county executive shall appoint, as members of the commission, seven

residents of Jackson County from among those recommended by the members of the county legislature or from among those citizens known by the county executive to be interested in serving on the commission. Members should represent a geographic and ethnic cross-section of the county and have experience in business, drug treatment, crime prevention, community organization, or law enforcement issues. One member shall serve an initial term of one year, two members shall serve initial terms of two years, two members shall serve initial terms of three years, and two members shall serve initial terms of four years. Successor members shall serve terms of four years, or for the unexpired terms of their predecessors.

9305.2 Ex Officio Members.

The prosecuting attorney, the chief of the Kansas City, Missouri police department, and the chairman of the Jackson County Drug Task Force, or their designees, shall serve as ex officio members of the commission without vote.

9305.3 COMBAT Funding Recipients Not Eligible.

No voting member of the commission shall currently be employed by, a director of, or otherwise similarly associated with any entity or organization which applies for or receives COMBAT funding in any manner.

9305.4 Powers and Duties of COMBAT Commission.

a. Presentation of Annual Proposed Budget.

The commission shall present annually a proposed budget for those COMBAT proceeds which are allocated for community crime prevention and drug treatment initiatives and Drug Abuse Resistance Education (D.A.R.E.) programs, and may authorize the expenditure of COMBAT funds for these purposes, subject to the approval of the county legislature.

b. Periodic Review and Report, Audit.

The commission shall periodically review and report to the legislature on the progress and efficacy of community crime prevention and drug treatment initiatives. The county shall annually contract for an audit of COMBAT proceeds allocated under this section by independent certified public accountants.

c. Staff.

The commission shall hire and supervise its own staff, subject to budgetary limitations. The staff of the commission shall cooperate with the anti-drug staff of the prosecuting attorney's office to ensure coordination of all of the county's anti-drug initiatives.

d. Compensation.

The members of the commission shall receive the sum of \$100 per meeting for their services.

e. Meetings.

The commission shall meet at least quarterly.

9306. Performance Evaluation.

The county, in consultation with the prosecuting attorney, shall annually provide for a performance evaluation of programs funded by COMBAT, to be conducted by an independent firm or agency.

9307. Prosecuting Attorney, Budget.

The prosecuting attorney shall annually present a proposed budget for those COMBAT proceeds which are allocated for law enforcement, prosecution, deferred prosecution, and matching funds to grants for anti-drug purposes. At least 50% of any funds allocated as matching funds to grants must be utilized for grants for drug treatment and prevention purposes.

9308. Effective and Expiration Dates.

The tax imposed by this chapter shall automatically terminate March 31, 2004.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Jay P. Keller

Andrea L. Schermerhorn
County Counselor

I hereby certify that the attached Ordinance, Ordinance #2490 introduced on November 13, 1995 was duly passed on January 16 1996 by the Jackson County Legislature. The votes thereon were as follows: (14)

Yeas 8 Nays 0
Abstaining 0 Absent 1

This Ordinance is hereby transmitted to the County Executive for her signature.

1-17-96
Date

Mary Jo Brogato
Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #2490.

1-20-96
Date

Katheryn J. Shields
Katheryn J. Shields, County Executive