

Jackson County Missouri

Jackson County Courthouse 415 E.12th Street, 2nd floor Kansas City, Missouri 64106 (816)881-3242

Legislation Details (With Text)

File #: 5440 Version: 0 Name: Code section 9303 Anti-Crime Sales Tax

Type: Ordinance Status: vetoed

File created: 10/29/2020 In control: Legislature As A Whole

On agenda: 11/2/2020 Final action: 12/16/2020

Title: AN ORDINANCE repealing section 9303., Jackson County Code, 1984, relating to the Anti-Crime

Sales Tax, and enacting, in lieu thereof, one new section relating to the same subject.

Sponsors: Dan Tarwater III

Indexes: ANTI-CRIME SALES TAX FUND, JACKSON COUNTY CODE

Code sections:

Attachments: 1. 5440Veto Message.pdf

Date	Ver.	Action By	Action	Result
12/16/2020	0	County Executive	vetoed	
12/7/2020	0	Anti-Crime Committee	recommend for perfection	Pass
12/7/2020	0	County Legislature	amend	Pass
12/7/2020	0	County Legislature	perfect	Pass
12/7/2020	0	County Legislature	adopt	Pass
12/1/2020	0	County Legislature	Go To 5th Perfection	Pass
11/30/2020	0	Anti-Crime Committee	hold	Pass
11/24/2020	0	County Legislature	Go To 4th Perfection	Pass
11/23/2020	0	Anti-Crime Committee	hold	Pass
11/17/2020	0	County Legislature	Go To 3rd Perfection	Pass
11/16/2020	0	Anti-Crime Committee	hold	Pass
11/10/2020	0	County Legislature	Go To 2nd Perfection	Pass
11/9/2020	0	Anti-Crime Committee	hold	Pass
11/3/2020	0	County Legislature	Go To 1st Perfection	Pass
11/2/2020	0	County Legislature	assign to committee	

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing section 9303., <u>Jackson County Code</u>, 1984, relating to the Anti-Crime Sales Tax, and enacting, in lieu thereof, one new section relating to the same subject.

ORDINANCE NO. 5440, November 2, 2020

INTRODUCED BY Dan Tarwater III, County Legislator

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WHEREAS, by Ordinance No. 4881, dated August 22, 2016, the Legislature did authorize the

continuation of the community-based anti-crime tax (COMBAT), which was submitted to the voters of

Jackson County, for a period of nine years effective until March 31, 2027, for the purpose of

promoting and providing public safety within Jackson County, including the prevention and treatment

of drug abuse and addiction and the prevention, investigation, prosecution, and detention of violent

criminals and drug dealers; and,

WHEREAS, on November 8, 2016, the voters of Jackson County did authorize the continuation of a

countywide sales tax at the rate of one-quarter of one cent, to be used solely to combat the serious

problems of illegal drug use and violent crime which were then and are still plaguing our community;

and,

WHEREAS, by Resolution No. 19745, dated February 26, 2018, the Legislature did authorize the

Missouri State Auditor to conduct a comprehensive performance audit to examine and evaluate the

management of the County's fiscal, budgetary, and procurement policies and procedures to ensure

transparency and accountability to the taxpayers in the expenditure of public funds; and,

WHEREAS, the Legislature further requested the State Auditor to audit the COMBAT tax pursuant to

section 29.200.3, RSMo, in accordance with an engagement letter dated March 6, 2019; and,

WHEREAS, the Missouri State Auditor's report on that office's COMBAT findings concluded the

percentages of COMBAT estimated revenues allocated to the various county departments or outside

entities have not been updated since 1995, when Resolution No. 10950, dated September 5, 1995,

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was adopted; and,

WHEREAS, the Auditor's report further stated that all funding provided from the Anti-Crime Sales Tax (COMBAT) Fund should be authorized in an updated resolution or ordinance setting out the funding percentages for each department, agency, and or initiative so that no department, agency, or initiative receives more funding than authorized; and,

WHEREAS, to ensure COMBAT monies are used efficiently and anti-crime programs are adequately funded, periodic reviews and updates to the allocation percentages should be performed and entities should be appropriated the full amount of their allocations; now therefore,

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

Section A. Enacting Clause.

Section 9303., <u>Jackson County Code</u>, 1984, is hereby repealed and one new section enacted in lieu thereof, to be known as section 9303, to read as follows:

9303. [Appropriation for Arrest, Prosecution, and Incarceration] <u>Annual Distribution of Funds.</u>

<u>The percentage allocations setting out the purpose of the annual distribution of Anti-Crime</u>

<u>Sales Tax funds are hereby adopted as set forth in Schedule I, appended to this chapter.</u>

a. The County Legislature shall annually appropriate, in connection with the adoption of the annual budget, an amount equal to the annual percentage distribution of all total available Anti-Crime Sales Tax funds, less a 7%

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unappropriated fund balance pursuant to subsection 9303.(b), which shall include the annual estimated revenue, prior year audited undesignated fund balance, and projected revenues in excess/less than expenditures.

- b. Annually, in connection with the adoption of the annual budget, an amount equal to 7% of the estimated annual revenue of the Anti-Crime Sales Tax Fund shall be set aside in the undesignated fund balance and not subject to appropriation and not subject to distribution pursuant to the percentage allocation set forth in Schedule I.
- c. Each year not less than 50% of the proceeds of the Anti-Crime Sales Tax shall be appropriated for the arrest, prosecution, and incarceration of those accused of drug related offenses and/or violent crimes.
- d. The departments, agencies, and/or initiatives within the purposes set forth in Schedule I are subject to modification on an annual basis in connection with the adoption of the annual budget.
- e. The County Legislature shall review the annual percentage distribution no less than every four years.

..Enacted and Approved
Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Chief Deputy County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5440 introduced on November 2, 2020, was duly passed on December 7, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____ 5 ____ Nays ____ 4

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Abstaining	<u>0</u>	Absent _	<u>0</u>				
This Ordinance is	s hereby transmitte	ed to the County Exec	cutive for his sig	ınature.			
Date	Mary Jo Spino	, Clerk of the Legislati	ure				
I hereby approve	the attached Ordi	nance No. 5440.					
Date	—— Frank White, J	r., County Executive					