



Jackson County Missouri

Jackson County Courthouse
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Legislation Text

File #: 5440, Version: 0

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

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.

ORDINANCE NO. 5440, November 2, 2020

INTRODUCED BY Dan Tarwater III, County Legislator

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, 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., Jackson County Code, 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] Annual Distribution of Funds.

The percentage allocations setting out the purpose of the annual distribution of Anti-Crime Sales Tax funds are hereby adopted as set forth in Schedule I, appended to this chapter.

- 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% 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

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

Abstaining 0

Absent 0

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

Date Mary Jo Spino, Clerk of the Legislature

I hereby approve the attached Ordinance No. 5440.

Date Frank White, Jr., County Executive