



Jackson County Missouri

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Legislation Text

File #: 2490, Version: 0

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 Sections 9301., 9303., 9305., and 9306., Jackson County Code, 1984, are hereby repealed and six new sections enacted in lieu thereof, to be known as sections 9301., 9303., 9305., 9306., 9307., and 9308., to read as follows: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 [investigation] the arrest and prosecution of [drug and] drug related offenses, the prevention of such offenses, and the incarceration, rehabilitation, treatment, and judicial processing of adult and juvenile violators of [drug and] drug related offenses.

9303. Appropriation [to Prosecuting Attorney, Purpose] for Arrest, Prosecution, and Incarceration.

Each year not less than 50% of the proceeds of the anti-drug sales tax[, or seven million dollars, which ever is greater,] shall be appropriated [to the prosecuting attorney] for [investigation and] the arrest, prosecution, and incarceration of [drug and] those accused of drug related offenses [and for the prosecuting attorney to contract subject to approval by the county legislature, with any organization or entity, whether private or governmental, which, if private, otherwise meets the test for exemption from federal income taxation under 26 U.S.C. 1501c, and which engages in community crime prevention activities, for the purpose of preventing drug and drug related offenses, if such organization has been in existence for a period not less than five years.

9303.1 Review by Legislative Auditor.

Performance of contracts with not-for profit community crime prevention organizations shall be subject to review by the legislative auditor].

[9305. Fiscal Commission Established, Composition.

Prior to the imposition of the anti-drug sales tax a fiscal commission shall be appointed. This commission shall be composed of the following seven members: the prosecuting attorney, presiding judge of the sixteenth judicial circuit, the Jackson County director of corrections, the chief of police of the Kansas City, Missouri police department, the chairman of the Jackson County Drug Task Force, the director of the Samuel U. Rodgers Community Health Clinic, and the president of the Swope Parkway Health Center. The manager of the division of finance shall serve as a consultant to the Commission.

9305.1 Designation of Alternate Member Authorized.

Each member of the fiscal commission may designate another person, by filing an appropriate notice with the clerk of the county legislature, which other person shall thereafter be authorized to act in the member's stead in all matters relating to the commission's business, except in matters concerning the authority granted to the commission pursuant to sections 9305.2 a and d of this chapter.

9305.2 Powers and Duties of Fiscal Commission.

The fiscal commission shall have the following powers and duties:

a. Presentation of Annual Proposed Budget.

The commission shall present annually a proposed budget for those proceeds of the Jackson County anti-drug sales tax not allocated under section 9303. of this chapter, which shall be used solely for the purpose of investigation, prosecution, incarceration, rehabilitation, treatment, and judicial processing of adult and juvenile drug violators and for drug related offenses.

b. Annual Report to County Legislature.

The commission shall annually review and report to the legislature on the expenditures of the proceeds of the anti-drug sales tax.

c. Audit.

Not more than once a year and upon request of the commission, the legislature shall contract for an audit by independent certified public accountants.

d. Staff.

The commission is empowered to hire and supervise an executive director, a secretary, and other staff as authorized by the county legislature.]

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, 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 matching funds to grants for these purposes, 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. Not more than once per year, the county shall contract for an audit of COMBAT proceeds allocated under this section by independent certified public accountants.

c. Staff.

The county shall provide such staff for the commission as is necessary.

d. Compensation

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

9306. Performance Evaluation.

The county 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 and deferred prosecution, Drug Abuse Resistance Education (D.A.R.E.) and related programs, and matching funds to grants for law enforcement-related purposes.

930[6]8. Effective and Expiration Dates.

The tax imposed by this chapter shall [become effective on the first day of the second calendar quarter after the Missouri director of revenue receives notice of the adoption of the tax, April 1, 1990, and shall] automatically terminate [seven years after that date,] March 31, [1997]2004.

..Attorney

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

APPROVED AS TO FORM:

County Counselor

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

Yeas _____ Nays _____

Abstaining _____ Absent _____

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

Date Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #2490.

Date Katheryn J. Shields, County Executive