

# House Amendment 8669

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1 1 Amend House File 2700 as follows:  
1 2 ~~#1.~~ Page 26, by inserting after line 18 the  
1 3 following:  
1 4 <Sec. \_\_\_\_\_. Section 423B.1, subsection 3, Code  
1 5 Supplement 2007, is amended to read as follows:  
1 6 3. A local option tax shall be imposed only after  
1 7 an election at which a majority of those voting on the  
1 8 question favors imposition and shall then be imposed  
1 9 until repealed as provided in subsection 6, paragraph  
1 10 "a". If the tax is a local vehicle tax imposed by a  
1 11 county, it shall apply to all incorporated and  
1 12 unincorporated areas of the county. If the tax is a  
1 13 local sales and services tax imposed by a county, it  
1 14 shall only apply to those incorporated areas and the  
1 15 unincorporated area of that county in which a majority  
1 16 of those voting in the area on the tax favors its  
1 17 imposition. For purposes of the local sales and  
1 18 services tax, all cities contiguous to each other  
1 19 shall be treated as part of one incorporated area and  
1 20 the tax would be imposed in each of those contiguous  
1 21 cities only if the majority of those voting in the  
1 22 total area covered by the contiguous cities favors its  
1 23 imposition. In the case of a local sales and services  
1 24 tax submitted to the registered voters of two or more  
1 25 contiguous counties as provided in subsection 4,  
1 26 paragraph "c", all cities contiguous to each other and  
~~1 27 where the boundaries overlap county lines shall be~~  
~~1 28 treated as part of one incorporated area, even if the~~  
~~1 29 corporate boundaries of one or more of the cities~~  
~~1 30 include areas of more than one county, and the tax~~  
1 31 shall be imposed in each of those contiguous cities  
1 32 only if a majority of those voting on the tax in the  
1 33 total area covered by the contiguous cities favored  
1 34 its imposition. For purposes of the local sales and  
1 35 services tax, a city is not contiguous to another city  
1 36 if the only road access between the two cities is  
1 37 through another state.  
1 38 Sec. \_\_\_\_\_. Section 423B.1, subsection 6, paragraph  
1 39 a, unnumbered paragraph 1, Code Supplement 2007, is  
1 40 amended to read as follows:  
1 41 If a majority of those voting on the question of  
1 42 imposition of a local option tax favors imposition of  
1 43 a local option tax, the governing body of that county  
1 44 shall impose the tax at the rate specified for an  
1 45 unlimited period. However, in the case of a local  
1 46 sales and services tax, the county shall not impose  
1 47 the tax in any incorporated area or the unincorporated  
1 48 area if the majority of those voting on the tax in  
1 49 that area did not favor its imposition. For purposes  
1 50 of the local sales and services tax, all cities  
2 1 contiguous to each other shall be treated as part of  
2 2 one incorporated area and the tax shall be imposed in  
2 3 each of those contiguous cities only if the majority  
2 4 of those voting on the tax in the total area covered  
2 5 by the contiguous cities favored its imposition. In  
2 6 the case of a local sales and services tax submitted  
2 7 to the registered voters of two or more contiguous  
2 8 counties as provided in subsection 4, paragraph "c",  
2 9 all cities contiguous to each other and where the  
~~2 10 boundaries overlap county lines shall be treated as~~  
~~2 11 part of one incorporated area, even if the corporate~~  
~~2 12 boundaries of one or more of the cities include areas~~  
~~2 13 of more than one county, and the tax shall be imposed~~  
2 14 in each of those contiguous cities only if a majority  
2 15 of those voting on the tax in the total area covered  
2 16 by the contiguous cities favored its imposition.  
2 17 Sec. \_\_\_\_\_. Section 423B.5, unnumbered paragraph 1,  
2 18 Code 2007, is amended to read as follows:  
2 19 A local sales and services tax at the rate of not  
2 20 more than one percent may be imposed by a county on  
2 21 the sales price taxed by the state under chapter 423,  
2 22 subchapter II. A local sales and services tax shall  
2 23 be imposed on the same basis as the state sales and  
2 24 services tax or in the case of the use of natural gas,

2 25 natural gas service, electricity, or electric service  
2 26 on the same basis as the state use tax and shall not  
2 27 be imposed on the sale of any property or on any  
2 28 service not taxed by the state, except the tax shall  
2 29 not be imposed on the sales price from the sale of  
2 30 motor fuel or special fuel as defined in chapter 452A  
2 31 which is consumed for highway use or in watercraft or  
2 32 aircraft if the fuel tax is paid on the transaction  
2 33 and a refund has not or will not be allowed, on the  
2 34 sales price from the sale of equipment by the state  
2 35 department of transportation, or on the sales price  
2 36 from the sale or use of natural gas, natural gas  
2 37 service, electricity, or electric service in a city or  
2 38 county where the sales price from the sale of natural  
2 39 gas or electric energy is subject to a franchise fee  
2 40 or user fee during the period the franchise or user  
2 41 fee is imposed. A local sales and services tax is  
2 42 applicable to transactions within those incorporated  
2 43 and unincorporated areas of the county where it is  
2 44 imposed and shall be collected by all persons required  
2 45 to collect state sales taxes. All cities contiguous  
2 46 to each other shall be treated as part of one  
2 47 incorporated area and the tax would be imposed in each  
2 48 of those contiguous cities only if the majority of  
2 49 those voting in the total area covered by the  
2 50 contiguous cities favors its imposition. In the case  
3 1 of a local sales and services tax submitted to the  
3 2 registered voters of two or more contiguous counties  
3 3 as provided in section 423B.1, subsection 4, paragraph  
3 4 "c", all cities contiguous to each other and where the  
3 5 boundaries overlap county lines shall be treated as  
3 6 part of one incorporated area, ~~even if the corporate~~  
~~3 7 boundaries of one or more of the cities include areas~~  
~~3 8 of more than one county,~~ and the tax shall be imposed  
3 9 in each of those contiguous cities only if a majority  
3 10 of those voting on the tax in the total area covered  
3 11 by the contiguous cities favored its imposition.>  
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3 15 WATTS of Dallas  
3 16 HF 2700.204 82  
3 17 mg/mg/11798