

FILED

DEC 14 2023

JEANNIE GOFF
COUNTY CLERK, JEFFERSON COUNTY, MO

BILL NO.: 23-1137

ORDINANCE NO.: 23- 0502

INTRODUCED BY: COUNCIL MEMBER(s) Groetke

1 **AN ORDINANCE CALLING FOR AND PROVIDING FOR THE**
2 **IMPOSITION OF AN ADDITIONAL SALES TAX IN THE AMOUNT OF THREE**
3 **PERCENT (3%) ON RETAIL SALES OF ADULT USE (RECREATIONAL)**
4 **MARIJUANA AND PROVIDING FOR SUBMISSION OF THE PROPOSAL TO THE**
5 **QUALIFIED VOTERS OF JEFFERSON COUNTY FOR THEIR APPROVAL AT**
6 **THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 2,**
7 **2024, AS AND FOR JEFFERSON COUNTY, MISSOURI.**

8 **WHEREAS**, on November 8, 2022, the voters of the State of Missouri approved
9 Amendment 3 to the Missouri Constitution by amending Section 1 of Article XIV, and
10 enacting a new Section 2 of Article XIV to remove state prohibitions on the purchase,
11 possession, consumption, use, delivery, manufacture, and sale of marijuana for personal use
12 for adults over the age of 21, effective December 8, 2022, which legalized the sale of
13 marijuana for adult recreational use; and

14 **WHEREAS**, the newly enacted Article XIV, section 2.6(5) of the Missouri
15 Constitution further authorizes the governing body of a local government to impose, by
16 ordinance, “an additional sales tax in an amount not to exceed three percent on all tangible
17 personal property retail sales of adult use marijuana sold in such political subdivision”
18 subject to approval by qualified voters; and

19 **WHEREAS**, the County must submit to the voters of the County, at a municipal,
20 county or state general, primary, or special election, a proposal to authorize the governing

1 body of the County to impose such a tax; and

2 **WHEREAS**, the County Council has determined that it is in the best interests of the
3 residents of the County that the proposed authorization of a local sales tax on recreational
4 marijuana be placed on the ballot at the election to be conducted on April 2, 2024.

5 **BE IT ENACTED BY THE JEFFERSON COUNTY, MISSOURI, COUNCIL,**
6 **AS FOLLOWS:**

7 Section 1: Pursuant to the authority granted by, and subject to, the provisions of
8 Section 2 of Article XIV of the Missouri Constitution, an additional sales tax at the rate of
9 three percent (3%) on all tangible personal property retail sales of adult use marijuana sold in
10 Jefferson County, Missouri is hereby imposed. The tax imposed hereunder shall be in
11 addition to any and all other sales taxes allowed by law.

12 Section 2: The imposition of said sales tax on adult use recreational marijuana
13 shall become effective as provided by law upon approval thereof by a majority of the votes
14 cast on the proposition by the qualified voters of the County voting thereon.

15 Section 3: This Proposition shall be submitted to the qualified voters of Jefferson
16 County, Missouri, for their approval, per the requirements of Article X, Section 22 of the
17 Missouri Constitution and the authority granted under Article XIV, Section 2.6(5) of the
18 Missouri Constitution, at the election to be called and held on Tuesday, April 2, 2024.

19 Section 4: The ballot of submission to the voters in Jefferson County, Missouri,
20 shall contain substantially the following language:

21 Shall Jefferson County, Missouri, impose an additional sales tax of three percent
22 (3%) on all retail sales of adult use marijuana sold in Jefferson County, Missouri?

1 This would tax only recreational marijuana and would not allow the taxation of
2 medical marijuana.

3 YES _____ NO _____

4 If you are in favor of the question, place an " x" in the box opposite " Yes."

5 If you are opposed to the question, place an " x" in the box opposite "No."

6 Section 5: This Ordinance as enacted by the County, authorizes an election to be
7 called during the election and held on Tuesday, April 2, 2024, in order to submit to the
8 qualified voters of Jefferson County, Missouri, at such election the proposition described
9 herein.

10 Section 6: The Jefferson County, Missouri, Council hereby requests that the
11 County Clerk of the County of Jefferson, Missouri, as the Election Authority for the County
12 and the election officials under her direction and control conduct such election as hereby
13 called for by this Ordinance.

14 Section 7: This Ordinance shall be in full force and effect immediately from and
15 after its date of approval. If any part of this Ordinance is invalid for any reason, such
16 invalidity shall not affect the remainder of this Ordinance.

17 Section 8: A copy of this Ordinance and all exhibits, if any, shall be kept on file
18 at the County Clerk's Office consistent with the rules and procedures for the maintenance
19 and retention of records as promulgated by the Secretary of State.

20 Section 9: Pursuant to State Law and within ten days (10) after the approval of
21 this tax by the qualified voters of Jefferson County, Missouri, the County Executive through
22 the County Clerk shall forward to the Director of Revenue for the State of Missouri by

- 1 United States registered mail or certified mail a certified copy of this Ordinance. The
- 2 Ordinance shall reflect the effective date thereof and any maps reflecting the same, if any.

THIS BILL BEING DULY INTRODUCED, THE MEMBERS OF THE JEFFERSON COUNTY, MISSOURI, COUNCIL VOTED AS FOLLOWS:

Council Member District 1, Brian Haskins	<u>yes</u>
Council Member District 2, Gene F. Barbagallo	<u>yes</u>
Council Member District 3, VACANT	
Council Member District 4, Charles Groeteke	<u>yes</u>
Council Member District 5, Scott Seek	<u>yes</u>
Council Member District 6, Daniel Stallman	<u>yes</u>
Council Member District 7, Bob Tullock	<u>yes</u>

THE ABOVE BILL ON THIS 11 DAY OF December, 2023:

PASSED FAILED



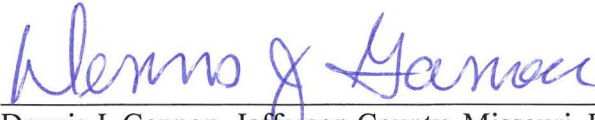
Charles Groeteke, County Council Chair



Cherlynn Boyer, Council Executive Assistant

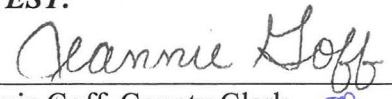
THIS BILL WAS ✓ APPROVED BY THE JEFFERSON COUNTY EXECUTIVE AND ENACTED AS AN ORDINANCE OF JEFFERSON COUNTY, MISSOURI, THIS 13 DAY OF December, 2023.


THIS BILL WAS _____ VETOED AND RETURNED TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL WITH WRITTEN OBJECTIONS BY THE JEFFERSON COUNTY EXECUTIVE, THIS _____ DAY OF _____, 2023.



Dennis J. Gannon, Jefferson County, Missouri, Executive

ATTEST:



Jeannie Goff, County Clerk 

First Reading: 11-27-2023

Second Reading: 12-11-2023

Third Reading: 12-11-2023