

FIRST REGULAR SESSION

HOUSE BILL NO. 694

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANCIS.

1508H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 142.803, RSMo, and to enact in lieu thereof one new section relating to the taxation of motor fuel, with a referendum clause.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 142.803, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 142.803, to read as follows:

142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, seventeen cents per gallon **until December 31, 2021; nineteen cents per gallon beginning January 1, 2022, and ending December 31, 2022; twenty-one cents per gallon beginning January 1, 2023, and ending December 31, 2023; twenty-three cents per gallon beginning January 1, 2024, and ending December 31, 2024; twenty-five cents per gallon beginning January 1, 2025, and ending December 31, 2025; and twenty-seven cents per gallon beginning January 1, 2026;**

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080 to be collected as required under this chapter;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (4) Compressed natural gas fuel, five cents per gasoline gallon equivalent until
19 December 31, 2019, eleven cents per gasoline gallon equivalent from January 1, 2020, until
20 December 31, 2024, and then seventeen cents per gasoline gallon equivalent thereafter. The
21 gasoline gallon equivalent and method of sale for compressed natural gas shall be as published
22 by the National Institute of Standards and Technology in Handbooks 44 and 130, and
23 supplements thereto or revisions thereof. In the absence of such standard or agreement, the
24 gasoline gallon equivalent and method of sale for compressed natural gas shall be equal to five
25 and sixty-six-hundredths pounds of compressed natural gas. All applicable provisions contained
26 in this chapter governing administration, collections, and enforcement of the state motor fuel tax
27 shall apply to the tax imposed on compressed natural gas, including but not limited to licensing,
28 reporting, penalties, and interest;

29 (5) Liquefied natural gas fuel, five cents per diesel gallon equivalent until December 31,
30 2019, eleven cents per diesel gallon equivalent from January 1, 2020, until December 31, 2024,
31 and then seventeen cents per diesel gallon equivalent thereafter. The diesel gallon equivalent and
32 method of sale for liquefied natural gas shall be as published by the National Institute of
33 Standards and Technology in Handbooks 44 and 130, and supplements thereto or revisions
34 thereof. In the absence of such standard or agreement, the diesel gallon equivalent and method
35 of sale for liquefied natural gas shall be equal to six and six-hundredths pounds of liquefied
36 natural gas. All applicable provisions contained in this chapter governing administration,
37 collections, and enforcement of the state motor fuel tax shall apply to the tax imposed on
38 liquefied natural gas, including but not limited to licensing, reporting, penalties, and interest;

39 (6) Propane gas fuel, five cents per gallon until December 31, 2019, eleven cents per
40 gallon from January 1, 2020, until December 31, 2024, and then seventeen cents per gallon
41 thereafter. All applicable provisions contained in this chapter governing administration,
42 collection, and enforcement of the state motor fuel tax shall apply to the tax imposed on propane
43 gas including, but not limited to, licensing, reporting, penalties, and interest;

44 (7) If a natural gas, compressed natural gas, liquefied natural gas, electric, or propane
45 connection is used for fueling motor vehicles and for another use, such as heating, the tax
46 imposed by this section shall apply to the entire amount of natural gas, compressed natural gas,
47 liquefied natural gas, electricity, or propane used unless an approved separate metering and
48 accounting system is in place;

49 (8) **Biodiesel, as defined in this chapter, blended with motor fuel with at least six**
50 **percent but less than ten percent biodiesel content in the motor fuel, seventeen cents per**
51 **gallon until December 31, 2023; twenty cents per gallon beginning January 1, 2024, and**
52 **ending December 31, 2024; twenty-two cents per gallon beginning January 1, 2025, and**
53 **ending December 31, 2025; and twenty-four cents per gallon beginning January 1, 2026;**

54 **(9) Biodiesel, as defined in this chapter, blended with motor fuel with at least ten**
55 **percent biodiesel content in the motor fuel, seventeen cents per gallon until December 31,**
56 **2024; nineteen cents per gallon beginning January 1, 2025, and ending December 31, 2025;**
57 **and twenty-one cents per gallon beginning January 1, 2026.**

58 2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be
59 precollected as described in this chapter, for the facility and convenience of the consumer. The
60 levy and assessment on other persons as specified in this chapter shall be as agents of this state
61 for the precollection of the tax.

 Section B. Section A of this act is hereby submitted to the qualified voters of this state
2 for approval or rejection at an election which is hereby ordered and which shall be held and
3 conducted on Tuesday next following the first Monday in November, 2022, pursuant to the laws
4 and constitutional provisions of this state for the submission of referendum measures by the
5 general assembly, and this act shall become effective when approved by a majority of the votes
6 cast thereon at such election and not otherwise.

✓