

1 IN THE SENATE

BY THE COMMITTEE ON STATE AFFAIRS

2 SENATE BILL NO. 146

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act pertaining to the consumers' sales
7 tax amending Sub-Section 9th (b) of Section
8 16-1-35, ACLA 1949 as amended by Chapter 38,
9 SLA 1949 and Chapter 121, SLA 1953 and Chap-
10 ter 151, SLA 1957; and providing for an
11 effective date."

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

13 Section 1. Sub-Section 9th (b) of Section 16-1-35, ACLA
14 1949 as amended by Ch. 38, SLA 1949 and Ch. 121, SLA 1953 and
15 Chapter 151, SLA 1957, is hereby further amended to read as follows:

16 Ninth: (b) CONSUMER'S SALES TAX. To levy and
17 collect a consumer's sales tax not exceeding three percentum
18 of the sales price on all retail sales, rents and services,
19 made within the municipality; provided, that the consent of
20 the qualified voters of the municipality is first obtained
21 through a referendum vote at a general or special election,
22 upon ballots which clearly present the proposition as to
23 whether such sales tax shall be authorized within the munic-
24 ipality. The ballot shall also set forth whether the tax is to
25 be levied for general revenue for the municipality or for a
26 special purpose, and, if for a special purpose, same shall be
27 specified on the ballot. If a majority of the votes cast in
28 said referendum are in the affirmative, the council may there-
29 after enact such a tax in the nature of a levy upon buyers

S.B. #146, as amended

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but with imposition upon sellers of the obligation of collecting same at the time of sale or at time of collection with respect to credit transactions, and transmit same to the municipality. No sales tax proposition for the same purpose shall be presented to the voters more than once in any twelve months [NO SUCH SALES TAX PROPOSITION SHALL BE PRESENTED TO THE VOTERS MORE THAN ONCE IN ANY TWELVE MONTHS.] The sole purpose of this sub-section is to enable cities, with the consent of the residents thereof, to impose sales taxes, and that although such method of taxation be established within a city, the council may, at any time abandon same. It is also the intent that if consent to such tax be obtained for a special purpose, the proceeds of the tax may not be used for any other purpose unless with consent of the voters at another referendum. Provided, however, that any municipality may provide by ordinance for exemption from the tax levied hereunder if not otherwise expressly prohibited by law.

Sec. 2. This Act shall take effect immediately upon its passage and approval or upon its becoming law without such approval.