



NEWS RELEASE

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St. Charles County Will Appeal Court Decision on Marijuana Tax

County Executive Steve Ehlmann will be available for interviews in his office now through 7 p.m., when the Council meeting starts. The office is located in the historic courthouse at 100 North 3rd Street, Suite 318.

St. Charles County, Mo— St. Charles County will ask the Missouri Supreme Court to reconsider a lower court ruling that would prevent counties from collecting a sales tax on recreational marijuana when local municipalities also impose their own marijuana sales tax.

"I've talked with St. Louis County Executive Sam Page, and we both agree it should be appealed," says St. Charles County Executive Steve Ehlmann.

In May, a Circuit Court judge ruled that the 3% tax can be simultaneously collected by both a county government and towns within a county where a recreational marijuana store is located.

Now, a three-judge panel of the Missouri Court of Appeals disagrees with the lower court, arguing that the tax cannot be "stacked" by more than one political entity. Ehlmann says voters who approved the tax were told otherwise by the marijuana industry.

"People voted to approve this tax because the language read 'any' local government could assess the tax and the industry led others to believe that included counties," Ehlmann says. "When the County Council asked the voters to approve the tax, we heard nothing from anyone in the industry. This Constitutional amendment was written by the marijuana industry, and they could have made it clear counties were excluded but that would have created opposition to their proposal."

Since the law took effect, more than \$1.4 million has been raised by the St. Charles County portion of the tax. The Ehlmann Administration has proposed using the money for public safety to pay for School Resource Police Officers when their current ARPA funding runs out next year.

Much of the legal fight comes down to the interpretation of the word "any," which is used in the recreational marijuana sales tax state statute:

"Any local government is authorized to impose by ordinance or order an additional sales tax in an amount not to exceed 3% on all tangible personal property sales of adult use marijuana sold in such political subdivisions."

Lawyers for St. Charles County argued that "any" does not imply only one and not more than one, citing a 1947 Supreme Court that said "any" is "all comprehensive and the equivalent of the word every."

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About St. Charles County:

St. Charles County, Missouri, founded in 1812, is one of the fastest growing counties in Missouri. With a population of over 415,000, it is the state's third largest county. It is home to 21 scenic county parks of which three are in reserve, encompassing 4,509 acres.

With one of the largest economies in the state, St. Charles County is home to multinational companies including General Motors, Citi, MasterCard Worldwide and Boeing. It is ranked among the top 25 counties in the nation in high-tech job growth by the Progressive Policy Institute and consistently has the lowest unemployment rate in the Metropolitan St. Louis area.

St. Charles County Government has more than 1,170 employees in more than 30 departments and offices who work to make the county an excellent place to live, work and shop. For more information, please visit sccmo.org.