Reining in Missouri’s Municipalities

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By: Patrick Tuohey

The St. Louis Post-Dispatch reports that the Missouri Attorney General is asking to be allowed to enforce portions of a 2015 law that Missouri courts initially set aside in 2016. The law at issue “set minimum standards for municipalities in St. Louis County and capped the amount of revenue they could raise in municipal court from traffic cases.” The reforms stemmed from investigations into how cities like Ferguson relied heavily on court fees and fines.

The Cole County Circuit Court struck down the provisions for violating the state constitution because they singled out municipalities in St. Louis County, and in 2017 the Missouri Supreme Court agreed.

The Institute’s Joseph Miller argued at the time the reforms were good news and lamented court rulings throwing them out. He wrote:

This is a disappointing outcome for those hoping that the state’s actions last year might rein in those small cities keeping themselves afloat by turning law enforcement into tax collection. On a hopeful note, the state plans to appeal, and the governor indicated a willingness to work with the legislature on a bill that will pass constitutional muster.
However, there’s now reason to believe the Missouri Supreme Court has reversed its thinking. Per the *Post-Dispatch* article: “[T]he high court ruled in December in a separate case that the logic underlying its previous decision ‘should no longer be followed.’” As a result, the attorney general is asking the circuit court to partially vacate its prior decision and grant relief from the court’s previous permanent injunction. In other words, the attorney general wants to be able to enforce the caps on raising municipal revenues through citations as envisioned by the 2015 law.

Fees and fines are not the only examples where Missouri’s municipalities have taken advantage of taxpayers. Cities and towns also misuse economic development incentives and special taxing districts, to the detriment of us all. It is good that the legislature acted to protect Missourians in 2015. Hopefully their work then will soon bear fruit.

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