

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 1889 & 1946
91ST GENERAL ASSEMBLY

Reported from the Committee on Commerce and Economic Development, April 25, 2002, with recommendation that the House Committee Substitute for House Bill Nos. 1889 & 1946 Do Pass.

TED WEDEL, Chief Clerk

4550L.05C

AN ACT

To repeal section 172.273, RSMo, and to enact in lieu thereof twenty-six new sections relating to community development.

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

Section A. Section 172.273, RSMo, is repealed and twenty-six new sections enacted in lieu thereof, to be known as sections 67.642, 67.659, 67.2000, 67.2003, 67.2006, 67.2009, 67.2012, 67.2015, 67.2018, 67.2021, 67.2024, 67.2027, 67.2030, 67.2033, 67.2036, 67.2039, 67.2042, 67.2045, 67.2048, 67.2051, 67.2054, 67.2057, 67.2059, 67.2060, 172.273 and 1, to read as follows:

67.642. 1. The general assembly may annually appropriate up to nine million eight hundred thousand dollars from the state general revenue fund to fund projects undertaken and partially funded from a retail sales tax approved pursuant to sections 70.500 to 70.510, RSMo, relating to the Kansas and Missouri metropolitan cultural district. Moneys so appropriated shall be transferred to a project fund established by the most populous county in Missouri participating in the metropolitan cultural district and shall be used only if the cumulative annual sales tax revenue generated by the metropolitan cultural district exceeds the cumulative annual state general fund appropriation. In no event shall any moneys be appropriated or transferred pursuant to this section prior to the 2005 fiscal year.

2. No moneys shall be appropriated or transferred pursuant to this section until after the date upon which the Kansas and Missouri metropolitan culture district retail sales tax, in effect as of January 1, 2002, pursuant to sections 70.500 to 70.510, RSMo, is renewed or extended.

3. No moneys shall be appropriated or transferred for the benefit of a sports

16 stadium pursuant to this section until after the date upon which the lease agreement for
17 the use of such sports stadium, in effect as of January 1, 2002, is renewed or extended.

18 4. Notwithstanding the provisions of section 33.080, RSMo, any amount remaining
19 in a county project fund created pursuant to this section shall not be placed to the credit
20 of the general revenue fund at the end of each biennium. All interest and moneys earned
21 on the fund shall be credited to the fund.

67.659. The first three million dollars of the state's portion of all sales tax revenue
2 collected pursuant to sections 144.010 to 144.525, RSMo, when generated by sales inside,
3 on the grounds of, or for tickets to any event in, any multipurpose facility located in and
4 owned by any constitutional charter city not within a county, and is not owned, leased, or
5 operated by a regional convention and sports complex authority established under sections
6 67.650 to 67.658, shall, subject to appropriation, be placed in a specially designated account
7 established by the collector of revenue of such constitutional charter city not within a
8 county which account shall not, the provisions of section 33.080, RSMo, to the contrary
9 notwithstanding, be transferred and placed to the credit of the general revenue fund at the
10 end of each biennium, for the sole purpose of maintenance and refurbishment of such
11 complex or facility respectively, including the repayment of any indebtedness or other
12 obligations incurred for maintenance and refurbishment provided, however, that in any
13 fiscal year in which less than twenty national basketball games are played at said
14 multipurpose facility, then one million dollars of the money deposited in said special,
15 designated account shall not be distributed by the collector of revenue, but shall be
16 reserved in a specially designated account maintained by said collector of revenue to be
17 distributed solely for the purpose of repair, maintenance, or refurbishment of the opera
18 house facility adjoining the multipurpose facility, including the repayment of any
19 indebtedness of other obligations incurred for maintenance and refurbishment of the opera
20 house. If no funds are expended for the repair, maintenance, or refurbishment of the
21 opera house by June 30, 2015, then all funds reserved for the repair, maintenance, or
22 refurbishment of the opera house shall be paid to the treasurer of the state of Missouri.
23 The provisions of this section shall become effective on July 1, 2005.

67.2000. Sections 67.2000 to 67.2060 shall be known and may be cited as the
2 "Sports Center Redevelopment Authority Act".

67.2003. As used in sections 67.2000 to 67.2060, the following terms mean:

2 (1) "Authority" or "sports center redevelopment authority", a public body
3 corporate and politic and political instrumentality created by or pursuant to sections
4 67.2000 to 67.2060;

5 (2) "Blighted area", an area which, by reason of the predominance of defective or

6 inadequate street layout, unsanitary or unsafe conditions, deterioration of site
7 improvements, improper subdivision or obsolete platting, age, obsolescence, inadequate or
8 outmoded design, or the existence of conditions which endanger life or property by fire and
9 other causes, or any combination of such factors, retards the provision of housing
10 accommodations or constitutes an economic or social liability or menace to the public
11 health, safety, morals, or welfare in its present condition and use;

12 (3) "Bond", any bonds, including refunding bonds, notes, interim certificates,
13 debentures, or other obligations issued by a sports center redevelopment authority or other
14 public body pursuant to sections 67.2000 to 67.2060;

15 (4) "City", any city not within a county in the state of Missouri wherein there is
16 located a major league sports facility;

17 (5) "City naming rights fund", the fund of the authority which contains the city's
18 portion of revenues received from the sale of the naming rights for the stadium;

19 (6) "Clerk", the clerk or other official of the municipality or county who is the
20 custodian of the official records of the municipality or county;

21 (7) "Conservation area", any improved area within the boundaries of a sports
22 center redevelopment area in which one or more of the structures in the area has an age
23 of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to
24 the public health, safety, morals, or welfare and may become a blighted area because of
25 any one or more of the following actors: dilapidation; obsolescence; deterioration; age;
26 illegal use of individual structures; presence of structures below minimum code standards;
27 abandonment; excessive vacancies; overcrowding of structures and community facilities;
28 lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage;
29 deleterious land use or layout; depreciation of physical maintenance; and lack of
30 community planning;

31 (8) "County", any county which includes or is adjacent to a city;

32 (9) "County convention and recreation trust fund", the trust fund established
33 pursuant to section 67.657;

34 (10) "County executive", the chief elected officer having the duties customarily
35 imposed upon the executive head of a county;

36 (11) "Economic activity taxes", the total additional revenue, in a calendar year
37 from taxes which are imposed by the city and other taxing districts, and which are
38 generated by economic activities within the sports center redevelopment area over the
39 amount of such taxes generated by economic activities within such sports center
40 redevelopment area in the third calendar year before the adoption of the resolution or
41 declaration approving the need for a sports center redevelopment authority, including

42 payments in lieu of such taxes, but excluding personal property taxes, taxes imposed on
43 sales or charges for sleeping rooms paid by transient guests of hotels and motels, and the
44 sales taxes imposed by subsection 5 of section 162.1100, RSMo, commencing on January
45 first of the year in which such approval occurs and continuing while the sports center
46 redevelopment plan remains in effect;

47 (12) "Federal government", the United States of America or any agency or
48 instrumentality, corporate or otherwise, of the United States of America;

49 (13) "Governing body", the county council, board of aldermen, or other legislative
50 body charged with governing the city or the county;

51 (14) "Major league", the league of professional baseball clubs constituting Major
52 League Baseball, as now or hereafter constituted or organized, or the league of professional
53 football clubs constituting the National Football League, as now or hereafter constituted
54 or organized, or the league of professional basketball clubs constituting the National
55 Basketball Association, as now or hereafter constituted or organized, or the league of
56 professional hockey clubs constituting the National Hockey League, as now or hereafter
57 constituted or organized;

58 (15) "Mayor", the elected mayor of the city or the chief elected officer having the
59 duties customarily imposed upon the mayor of a city;

60 (16) "Municipality", a city, village, incorporated town, or any county of this state;

61 (17) "New state revenues" are defined as:

62 (a) The increase, in a calendar year, in the general revenue portion of state sales tax
63 revenues received pursuant to section 144.020, RSMo, from the designated sports center
64 redevelopment area, excluding sales taxes that are constitutionally dedicated, taxes
65 deposited to the school district tax fund in accordance with section 144.701, RSMo, and
66 sales and use taxes on motor vehicles, trailers, boats, and outboard motors, and future sales
67 taxes earmarked by law, over the amount of such taxes generated within such sports center
68 redevelopment area in the third calendar year before the adoption of the resolution or
69 declaration approving the need for a sports center redevelopment authority, including
70 payments in lieu of such taxes, commencing on January first of the year in which such
71 approval occurs and continuing while the sports center redevelopment plan remains in
72 effect; and

73 (b) The increase, in a calendar year, in state income tax withheld on behalf of
74 employees by the employer pursuant to section 143.221, RSMo, derived from sources
75 within the sports center redevelopment area over the amount of such taxes derived from
76 sources within the redevelopment area in the third calendar year before the adoption of
77 the resolution or declaration approving the need for a sports center redevelopment

78 authority, including payments in lieu of such taxes, commencing on January first of the
79 year in which such approval occurs and continuing while the sports center redevelopment
80 plan remains in effect;

81 (18) "Person", any individual, firm, partnership, corporation, company,
82 association, joint stock association, or body politic; and shall include any trustee, receiver,
83 assignee, or other similar representative thereof;

84 (19) "Project costs", include the sum total of all reasonable or necessary costs
85 incurred or estimated to be incurred in connection with, and any such costs incidental to,
86 a sports center redevelopment plan or sports center redevelopment project, as applicable.
87 Such costs include, but are not limited to, the following:

88 (a) Costs of studies, surveys, plans, and specifications;

89 (b) Professional service costs, including, but not limited to, architectural,
90 engineering, legal, marketing, financial, planning, or special services;

91 (c) Property assembly costs, including, but not limited to, acquisition of land and
92 other property, real or personal, or rights or interests therein, demolition of buildings, and
93 the clearing and grading of land;

94 (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing
95 buildings and fixtures;

96 (e) Costs of construction of public works, stadiums, buildings, parking lots, or other
97 improvements, including utilities and infrastructure and costs of fees and permits;

98 (f) Financing costs, including, but not limited to, all necessary and incidental
99 expenses related to the issuance of bonds, and which may include payment of interest on
100 any bonds issued hereunder accruing during the estimated period of construction of any
101 sports center redevelopment project for which such bonds are issued, and including
102 reasonable reserves related thereto;

103 (g) All or a portion of capital costs resulting from the sports center redevelopment
104 project necessarily incurred or to be incurred in furtherance of the objectives of the sports
105 center redevelopment plan and project, to the extent such costs are accepted and approved
106 by written agreement; and

107 (h) Relocation costs to the extent that it is determined that relocation costs shall be
108 paid or are required to be paid by federal or state law;

109 (20) "Public body", the state or any municipality, township, board, agency,
110 commission, authority, district, or any other political subdivision of the state;

111 (21) "Real property", all lands, including improvements and fixtures thereon, and
112 property of any nature appurtenant thereto, or used in connection therewith, and every
113 estate, interest, and right, legal or equitable, therein, including terms for years and liens

114 by way of judgment, mortgage, or otherwise;

115 (22) "Redeveloper", any person, partnership, or public or private corporation or
116 agency that enters into or proposes to undertake a sports center redevelopment plan or
117 project;

118 (23) "Redevelopment", the process of undertaking and carrying out a sports center
119 redevelopment plan or project;

120 (24) "Redevelopment contract", a contract entered into between an authority or
121 other public body and a redeveloper or other private entity in furtherance of a sports
122 center redevelopment project or projects in conformity with a sports center redevelopment
123 plan;

124 (25) "Special allocation fund", a fund of the city for the deposit of economic activity
125 taxes allocated to a sports center redevelopment project;

126 (26) "Sports center redevelopment area", an area designated by the city as a
127 blighted area or a conservation area with respect to which a sports center redevelopment
128 plan is to be carried out;

129 (27) "Sports center redevelopment plan", a plan as it exists from time to time, for
130 the elimination, through the construction of a sports center redevelopment project or
131 projects, of those conditions the existence of which qualified the sports center
132 redevelopment area as a blighted area or conservation area;

133 (28) "Sports center redevelopment project" or "project", any work or undertaking
134 in furtherance of a sports center redevelopment plan, including, but not limited to, the
135 following activities:

136 (a) To acquire lands, and to acquire, construct, and equip structures and other
137 improvements, wherever located, which are necessary or incidental to the proper
138 development or redevelopment of a sports center redevelopment area;

139 (b) To clear any areas by demolition or removal of existing buildings, structures,
140 streets, utilities, or other improvements thereon and to install, construct, or reconstruct
141 streets, utilities, and site improvements essential to the preparation of sites for uses in
142 accordance with a sports center redevelopment plan;

143 (c) To sell, acquire, lease, or otherwise make available land for recreational,
144 commercial, or other use or for public use or to retain such land for public use, in
145 accordance with a sports center redevelopment plan;

146 (d) To develop, construct, reconstruct, rehabilitate, repair, equip, or improve
147 buildings, structures, stadiums, and other facilities.

148

149 The term sports center redevelopment project may also include the preparation of a sports

150 center redevelopment plan, the planning, survey and other work incident to a sports center
151 redevelopment project and the preparation of all plans and arrangements for carrying out
152 a sports center redevelopment project;

153 (29) "Stadium", a sports facility suited for the play of a major league sport or
154 sports which is approved by the city as part of a sports center redevelopment plan;

155 (30) "State", the state of Missouri;

156 (31) "State naming rights fund", the fund of the authority which contains the
157 state's portion of revenues received from the sale of the naming rights for the stadium; and

158 (32) "Taxing districts", any political subdivision of this state having the power to
159 levy taxes.

67.2006. It is hereby found and declared that there exists blighted, deteriorated,
2 and deteriorating areas injurious to the public health, safety, morals, and welfare of the
3 residents of the state that cannot be dealt with effectively by the ordinary operations of
4 private enterprise without the aids provided in sections 67.2000 to 67.2060; that the
5 elimination or prevention of blight and the detrimental conditions in such areas, the
6 acquisition and preparation of land in or necessary to the development, renewal, or
7 rehabilitation of such areas and its sale or lease for development, renewal, or rehabilitation
8 in accordance with general plans and redevelopment plans of communities and any
9 assistance which may be given by any public body in connection therewith are public uses
10 and purposes for which public money may be expended and private property acquired;
11 and that the necessity in the public interest for the provisions thus enacted is hereby
12 declared as a matter of legislative determination; and that deteriorated or deteriorating
13 areas, or portions thereof, may require acquisition and clearance, as provided in this law,
14 since the prevailing condition may make impracticable the reclamation of the area by
15 conservation or rehabilitation. A sports center redevelopment authority, to the greatest
16 extent it determines to be feasible in carrying out sections 67.2000 to 67.2060, shall afford
17 maximum opportunity, consistent with the sound needs of the community as a whole, to
18 the rehabilitation or redevelopment or renewal of areas by private enterprise and will
19 significantly benefit the public by increasing state and local tax revenues through the
20 creation of new jobs, increased sales, increased property tax values, and taxes withheld
21 from employees by employers, and by enhancing regional tourism, and creating an
22 environment to stimulate additional private investment in the area where new development
23 will be located.

67.2009. There is hereby created in each city within the state of Missouri wherein
2 there is located a major league sports facility, and in each county which includes or is
3 adjacent to such city, a joint "Sports Center Redevelopment Authority" for the purpose

4 of establishing and carrying out a sports center redevelopment plan as set forth in sections
5 67.2000 to 67.2060; provided that such authority shall not transact any business or exercise
6 its powers hereunder until or unless the governing body of the city and county by
7 resolution or other declaration shall determine at any time hereinafter that there is a need
8 for such an authority to carry out a sports center redevelopment plan.

67.2012. 1. A board of commissioners composed of nine members shall govern the
2 authority created pursuant to this section. The commissioners shall be appointed as
3 follows:

4 (1) Two commissioners shall be appointed by the mayor of the city with the advice
5 and consent of the governing body of the city;

6 (2) Two commissioners shall be appointed by the county executive of the county
7 with the advice and consent of the governing body of the county;

8 (3) Five commissioners shall be appointed by the governor with the advice and
9 consent of the senate. Of the five commissioners appointed, the governor shall designate
10 one who shall serve as the chair of the board.

11 2. Two of the five commissioners who are first appointed by the governor shall be
12 designated to serve for a term of one year from the date of the appointment. One of each
13 of the two commissioners who are first appointed by the mayor and the county executive
14 shall be designated to serve for terms of two years from the date of their appointments.
15 The remaining commissioner initially appointed by each of the mayor and the county
16 executive and two of the commissioners initially appointed by the governor shall be
17 designated to serve for terms of three years from the date of their appointments. The
18 remaining commissioner initially appointed by the governor to serve as the chair of the
19 authority shall be designated for a term of four years from the date of the appointment.
20 Thereafter, commissioners shall be appointed in the same manner for a term of office for
21 four years except that all vacancies shall be filled for the unexpired term.

22 3. The powers vested in the authority shall be exercised by the board of
23 commissioners thereof. A majority of the commissioners shall constitute a quorum of such
24 board for the purpose of conducting business and exercising the powers of the authority
25 and for all other purposes. Action may be taken by the board upon a vote of a majority
26 of the commissioners present either in person or via telephonic conference. Meetings of the
27 board of an authority may be held anywhere.

28 4. An authority may employ an executive director, technical experts, and such other
29 officers, agents, and employees, permanent and temporary, as it may require, and shall
30 determine their qualifications, duties, and compensation. For such legal services as it may
31 require, an authority may call upon or may employ its own counsel. An authority may

32 delegate to one or more of its agents or employees such powers or duties as it may deem
33 proper.

34 5. No commissioner or employee of the authority shall have or acquire any
35 pecuniary interest, direct or indirect, in any sports center redevelopment project, in any
36 major league team that shall use any sports center redevelopment project, or in any
37 property included or planned by the authority to be included in any such project, or in any
38 contract or proposed contract in connection with any such project.

39 6. If any commissioner or employee owned or controlled within the preceding two
40 years any interest, direct or indirect, in any property included or planned by the authority
41 to be included in any sports center redevelopment area, the commissioner or employee
42 shall immediately disclose such interest in writing to the authority and such disclosure shall
43 be entered upon the minutes of the authority.

44 7. Any violation of subsections 5 and 6 of this section shall constitute misconduct
45 in office and shall be cause for removal from the authority.

67.2015. An authority shall constitute a public body corporate and politic and
2 political instrumentality, exercising public and essential governmental functions, and
3 having all the powers necessary or convenient to carry out and effectuate the purposes of
4 sections 67.2000 to 67.2060, including the following powers in addition to others granted
5 in sections 67.2000 to 67.2060:

6 (1) To sue and to be sued; to have a seal and to alter the same at pleasure; to have
7 perpetual succession; to make and execute contracts and other instruments necessary or
8 convenient to the exercise of the powers of the authority; and to make and from time to
9 time amend and repeal bylaws, rules and regulations, not inconsistent with sections 67.2000
10 to 67.2060, to carry out sections 67.2000 to 67.2060;

11 (2) To prepare or cause to be prepared and to adopt or approve sports center
12 redevelopment plans and to undertake and carry out sports center redevelopment projects;

13 (3) To arrange or contract for the furnishing or repair, by any person or agency,
14 public or private, of services, privileges, works, streets, roads, public utilities, or other
15 facilities for or in connection with a sports center redevelopment project; and
16 notwithstanding anything to the contrary contained in sections 67.2000 to 67.2060 or any
17 other provision of law, to agree to any conditions that it may deem reasonable and
18 appropriate attached to federal financial assistance and imposed pursuant to federal law
19 relating to the determination of prevailing salaries or wages or compliance with labor
20 standards, in the undertaking or carrying out of a stadium or sports center redevelopment
21 project, and to include in any contract let in connection with such a project provisions to
22 fulfill such of the conditions as it may deem reasonable and appropriate;

23 **(4) To purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise,**
24 **eminent domain, or otherwise, any real or personal property or any interest therein,**
25 **including fee simple absolute title, together with any improvements thereon, necessary or**
26 **incidental to a sports center redevelopment project; to hold, improve, clear, or prepare for**
27 **development or redevelopment any such property; to develop, construct, reconstruct,**
28 **rehabilitate, repair, or improve stadiums, parking garages, buildings, structures, and any**
29 **other facilities; to sell, lease, exchange, transfer, assign, subdivide, retain for its own use,**
30 **mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal**
31 **property or any interest therein; to enter into contracts with redevelopers or developers**
32 **of property and with other public bodies containing covenants, restrictions, and conditions**
33 **regarding the use of such property for commercial, industrial, recreational purposes or for**
34 **public purposes in accordance with a sports center redevelopment project and such other**
35 **covenants, restrictions, and conditions as the authority may deem necessary or to effectuate**
36 **sections 67.2000 to 67.2060; to make any of the covenants, restrictions, or conditions of the**
37 **foregoing contract covenants running with the land, and to provide appropriate remedies**
38 **for any breach of any such covenants or conditions, including the right in the authority to**
39 **terminate such contracts and any interest in the property created pursuant thereto; to**
40 **borrow money and issue bonds and provide security therefor; to insure or provide for the**
41 **insurance of any real or personal property or operations of the authority against any risks**
42 **or hazards, including the power to pay premiums on any such insurance; and to enter into**
43 **any contracts necessary to effectuate sections 67.2000 to 67.2060; provided, however, that**
44 **no statutory provision with respect to the acquisition, clearance, or disposition of property**
45 **by other public bodies shall restrict an authority or other public bodies exercising powers**
46 **granted in sections 67.2000 to 67.2060, in such functions, unless the legislature shall**
47 **specifically so state;**

48 **(5) To make plans for carrying out a program of voluntary rehabilitation or**
49 **development of buildings and improvements, plans for the enforcement of state and local**
50 **laws, codes, and regulations relating to the use of land and the use and occupancy of**
51 **buildings and improvements, and for the compulsory repair, rehabilitation, development,**
52 **demolition, or removal of buildings and improvements;**

53 **(6) To invest any funds held in reserves or sinking funds or any funds not required**
54 **for immediate disbursement, in property or securities in which the authority legally may**
55 **invest funds;**

56 **(7) To purchase or redeem its bonds and to cancel all such bonds purchased or**
57 **redeemed;**

58 **(8) To borrow money and to apply for and accept and contract for advances, loans,**

59 grants, contributions, and any other form of financial assistance from the federal
60 government, the state, county, municipality, or other public body or from any sources
61 public or private, for the purposes of sections 67.2000 to 67.2060, to give such security as
62 may be required and to enter into and carry out contracts in connection therewith;

63 (9) Acting through one or more commissioners or other persons designated by the
64 authority, to conduct examinations and investigations and to hear testimony and take proof
65 under oath at public or private hearings on any matter material for its information;

66 (10) To make or have made all surveys, studies, and plans, including but not limited
67 to the preparation of planning, necessary to the carrying out of sections 67.2000 to 67.2060
68 and, in connection therewith, to enter into or upon any land, building, or improvement
69 thereon for such purposes and to make soundings, test borings, surveys, appraisals, and
70 other preliminary studies and investigations necessary to carry out its powers, but such
71 entry shall constitute no cause of action for trespass in favor of the owner of such land,
72 building, or improvement except for injuries resulting from wantonness or malice; and to
73 contract or cooperate with any and all persons or agencies, public or private, in the making
74 and carrying out of the surveys, appraisals, studies, and plans;

75 (11) To prepare plans and provide reasonable assistance for the relocation of
76 families, if any, displaced from a sports center redevelopment project area, to the extent
77 essential for acquiring possession of and clearing or renewing the area or parts thereof;

78 (12) To make such expenditures as may be necessary to carry out the provisions of
79 sections 67.2000 to 67.2060; and to make expenditures from funds obtained from other
80 taxing districts without regard to any other laws pertaining to the making and approval
81 of appropriations and expenditures;

82 (13) To delegate to a municipality or other public body any of the powers or
83 functions of the authority with respect to the planning or undertaking of a sports center
84 redevelopment project in the area in which the authority is authorized to act, and the
85 municipality or other public body is hereby authorized to carry out or perform such
86 powers or functions for the authority;

87 (14) To exercise all powers or parts or combinations of powers necessary,
88 convenient or appropriate to undertake and carry out sports center redevelopment plans
89 and projects and all the powers granted in sections 67.2000 to 67.2060;

90 (15) To loan the proceeds of the bonds hereinafter authorized to provide for the
91 purchase, construction, extension, and improvement of a sports center redevelopment
92 project by a redeveloper pursuant to a redevelopment contract approved by the authority;

93 (16) To fix, charge, and collect fees, rents, and other charges for the use of any
94 building or property owned or leased by it or any part thereof, and to fix, charge, and

95 collect fees and other charges with respect to other facilities within the sports center
96 redevelopment area;

97 (17) To accept grants, contributions, guarantees, and donations of property, labor,
98 money, or other things of value from a public or private source for use within a sports
99 center redevelopment area or for the payment of bonds; and

100 (18) To incur development costs and issue bonds.

67.2018. 1. Within a sports center redevelopment area, an authority shall have the
2 right to acquire by the exercise of the power of eminent domain any real property or
3 interest therein which it may deem necessary for a sports center redevelopment project or
4 for its purposes pursuant to sections 67.2000 to 67.2060 after the adoption by the authority
5 of a resolution declaring that the acquisition of the real property described therein is
6 necessary for such purposes. An authority may exercise the power of eminent domain in
7 the manner and under the procedure provided for corporations in sections 523.010 to
8 523.070, 523.090, and 523.100, RSMo, or it may exercise the power of eminent domain in
9 the manner provided in the charter of the city for the exercise of the power of eminent
10 domain.

11 2. Property already devoted to a public use may be acquired in like manner,
12 provided that no real property belonging to any public body may be acquired without its
13 consent.

67.2021. For the purpose of aiding and cooperating in the planning, undertaking,
2 or carrying out of a sports center redevelopment plan or project, any public body may,
3 upon such terms, with reasonable consideration, as it may determine:

4 (1) Dedicate, sell, convey, or lease any of its interest in any property, or grant
5 easements, licenses, or any other rights or privileges therein to an authority;

6 (2) Cause parks, playgrounds, recreational, community, educational, water, sewer,
7 or drainage facilities, or any other works which it is otherwise empowered to undertake,
8 to be furnished in compliance with a sports center redevelopment plan;

9 (3) Furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan
10 streets, roads, sidewalks, ways, or other places, which it is otherwise empowered to
11 undertake;

12 (4) Plan or replan, zone or rezone any part of the public body, or make exceptions
13 from building regulations and ordinances if such functions are of the character which the
14 public body is otherwise empowered to perform;

15 (5) Cause administrative and other services to be furnished to the authority of the
16 character which the public body is otherwise empowered to undertake or furnish for the
17 same or other purposes;

18 (6) Incur the entire expense of any public improvements or other services made or
19 provided by such public body in exercising the powers granted in this section;

20 (7) Approve a sports center redevelopment plan and do any and all things
21 necessary or convenient to aid and cooperate in the planning or carrying out of a sports
22 center redevelopment plan;

23 (8) Lend, grant, or contribute funds or other property to an authority or other
24 public body;

25 (9) Employ any funds belonging to or within the control of such public body,
26 including funds derived from the sale or furnishing of property, service, or facilities to an
27 authority, in the purchase of the bonds of an authority and, as the holder of such bonds,
28 exercise the rights connected therewith;

29 (10) Lease or sublease property, including any sports facility redevelopment project
30 or portion thereof from others and pay rent or other consideration therefor; and

31 (11) Enter into agreements, which may extend over any period, notwithstanding
32 any provision or rule of law to the contrary, with an authority or other public body or
33 person respecting action to be taken pursuant to any of the powers granted in sections
34 67.2000 to 67.2060. If at any time title to, or possession of, any sports center redevelopment
35 project is held by any public body, other than the authority, authorized by law to engage
36 in the undertaking, carrying out, or administration of development projects, the provisions
37 of such agreements shall inure to the benefit of and may be enforced by such public body.

 67.2024. A sports center redevelopment plan shall set forth in writing a general
2 description of the program to be undertaken to accomplish the objectives of such plan and
3 shall include, but need not be limited to, a legal description of the sports center
4 redevelopment area, the conditions that qualify the sports center redevelopment area as
5 a blighted area or conservation area, the estimated project costs, the anticipated sources
6 of funds to pay the project costs, the anticipated type and terms of the sources of funds to
7 pay the project costs, the anticipated type and terms of any bonds to be issued to finance
8 the project costs, the most recent equalized assessed valuation of the property within the
9 sports center redevelopment area, an estimate as to the equalized assessed valuation of such
10 property after redevelopment, and the general land uses to apply in the sports center
11 redevelopment area. The sports center redevelopment plan shall be sufficiently complete
12 to indicate such land acquisition, demolition, and removal of structures, redevelopment,
13 improvements, and rehabilitation as may be proposed to be carried out, zoning and
14 planning changes, if any, maximum densities, building requirements, and the relationship
15 of the plan to definite local objectives respecting appropriate land uses, improved traffic,
16 public transportation, public utilities, recreational and community facilities, and other

17 public improvements. Any sports center redevelopment plan shall include provisions for
18 the development or redevelopment of both a stadium and mixed-use facilities which may
19 include reasonable parking facilities, and shall include one or more of the following:
20 housing units, office space, commercial or retail space, and cultural or entertainment
21 attractions.

67.2027. 1. Before the approval of a sports center redevelopment plan, the
2 authority shall fix a time and place for a public hearing and notify each taxing district
3 located wholly or partially within the boundaries of the proposed sports center
4 redevelopment area. At the public hearing any interested person or affected taxing district
5 may file with the authority written objections to, or comments on, and may be heard orally
6 in respect to, any issues embodied in the notice. The authority shall hear and consider all
7 protests, objections, comments, and other evidence presented at the hearing. The hearing
8 may be continued to another date without further notice other than a motion to be entered
9 upon the minutes fixing the time and place of the subsequent hearing. Before the
10 conclusion of the hearing, changes may be made in the sports center redevelopment plan,
11 provided that each affected taxing district is given written notice of such changes at least
12 seven days before the conclusion of the hearing. After the public hearing but before the
13 adoption of a resolution or declaration approving a sports center redevelopment plan,
14 changes may be made to the sports center redevelopment plan without a further hearing,
15 if such changes do not enlarge the exterior boundaries of the sports center redevelopment
16 area, and do not substantially affect the general land uses established in the sports center
17 redevelopment plan, provided that notice of such changes shall be given by mail to each
18 affected taxing district and by publication in a newspaper of general circulation in the area
19 of the proposed redevelopment not less than ten days before the adoption of the changes.
20 After the adoption of a resolution or declaration approving a sports center redevelopment
21 plan, no change to the sports center redevelopment plan shall be adopted or approved
22 which alters the exterior boundaries of the sports center redevelopment area, or affects the
23 general land uses established pursuant to the sports center redevelopment plan without
24 complying with the procedures provided in this section pertaining to the initial approval
25 of a sports center redevelopment plan.

26 2. Notice of the public hearing required by this section shall be given by publication
27 and mailing. Notice by publication shall be given at least twice, the first publication to be
28 not more than twenty days and the second publication to be not more than ten days prior
29 to the public hearing, in a newspaper of general circulation in the proposed sports center
30 redevelopment area. Notice by mailing shall be given by depositing such notice in the
31 United States mail by certified mail addressed to the person or persons in whose name the

32 general taxes for the last preceding year were paid on each lot, block, tract, or parcel of
33 land lying within the sports center redevelopment area. Such notice shall be mailed not
34 less than ten days prior to the public hearing. In the event taxes for the last preceding year
35 were not paid, the notice shall also be sent to the persons last listed on the tax rolls within
36 the preceding three years as the owners of such property.

37 3. The notices issued pursuant to this section shall include the following:

38 (1) The time and place of the public hearing;

39 (2) The general boundaries of the proposed sports center redevelopment area by
40 street location, where possible;

41 (3) A statement that all interested persons shall be given an opportunity to be heard
42 at the public hearing;

43 (4) A general description of the proposed sports center redevelopment plan, and
44 a location and time where the entire plan may be reviewed by any interested party;

45 (5) Such other matters as the authority may deem appropriate.

46 4. Not less than twenty days before the date set for the public hearing, the authority
47 shall give notice by mail as provided in subsection 2 of this section to all taxing districts
48 from which taxable property is included in the sports center redevelopment area, and in
49 addition to the other requirements pursuant to subsection 2 of this section, the notice shall
50 include an invitation to each taxing district to submit comments to the authority
51 concerning the subject matter of the hearing before the date of the hearing.

52 5. A copy of any and all hearing notices required by this section shall be submitted
53 by the authority to the director of the department of economic development of the state.
54 Such submission of the copy of the hearing notice shall comply with the prior notice
55 requirements pursuant to subsection 3 of this section.

56 6. After the authority approves a sports center redevelopment plan, it shall forward
57 a copy of the plan and a copy of the resolution approving the plan to the city. If the
58 governing body of the city finds that the sports center redevelopment area on the whole is
59 a blighted area or a conservation area, and that the sports center redevelopment plan is in
60 the best interest of the city and its residents, the governing body shall adopt an ordinance
61 approving the sports center redevelopment plan.

62 7. Upon approval of a sports center redevelopment plan by the city, the authority
63 shall forward a copy of such plan, along with a certified copy of any approving resolutions,
64 declarations, or ordinances, to the speaker of the house of representatives and the president
65 pro tempore of the senate.

67.2030. 1. Bonds may be issued by the authority or any other public body to
2 provide for project costs and other costs of implementing the sports center redevelopment

3 plan, including to refund bonds issued for such purposes. The authority or other public
4 body may pledge all or any part of any funds and revenues available to the authority or
5 such public body from any source, public or private, including any funds in and to be
6 deposited in the special allocation fund, to the payment of the sports center redevelopment
7 project costs and bonds. Any pledge of funds in the special allocation fund may provide
8 for distribution to the applicable other taxing districts of moneys not required for payment
9 of redevelopment costs or bonds and such excess funds shall be deemed to be surplus
10 funds.

11 2. Without limiting the provisions of subsection 1 of this section, the authority or
12 other public body may pledge any part or any combination of the revenues of any sports
13 center redevelopment project, or a mortgage on part or all of the sports center
14 redevelopment project owned by it, to secure its bonds or other redevelopment costs.

15 3. Such bonds may be issued in one or more series bearing interest at such rate or
16 rates as the issuer shall determine. Such bonds shall bear such date or dates, mature at
17 such time or times (not exceeding thirty-five years from their respective dates when secured
18 by the special allocation fund), be in such denominations, carry such registration
19 privileges, be executed in such manner, be payable in such medium of payment at such
20 place or places, be subject to redemption and contain such other covenants, terms, and
21 conditions as the ordinance or resolution of the issuer shall provide or authorize. Such
22 bonds may be sold at public or private sale at such price as shall be determined by the
23 governmental entity responsible for the payment of debt service with respect thereto and
24 shall state that such bonds are special obligations payable solely from the funds specifically
25 pledged therefor in accordance with sections 67.2000 to 67.2060.

26 4. If any member of the authority whose signature appears on any bonds shall cease
27 to be such member before the delivery of such bonds, such signature shall, nevertheless,
28 be valid and sufficient for all purposes, the same as if such member had remained in office
29 until such delivery.

30 5. In any suit, action, or proceeding involving the validity or enforceability of any
31 bond issued pursuant to this section, or the security therefor, any such bond reciting in
32 substance that it has been issued pursuant to this section to aid in financing a sports center
33 redevelopment project shall be conclusively deemed to have been issued for such purpose
34 and such project and the sports center redevelopment plan pursuant to which such project
35 is undertaken shall be conclusively deemed to have been planned, approved, and carried
36 out in accordance with the purposes and provisions of this law.

37 6. No person executing any bond shall be personally liable for such bond by reason
38 of the issuance thereof. The bonds issued pursuant to this section shall not be a general

39 obligation of the authority, any municipality, the state, or any political subdivision thereof,
40 or any other public body, nor in any event shall such bond be payable out of any funds or
41 properties other than those specifically pledged as security therefor. The bonds shall not
42 constitute indebtedness within the meaning of any constitutional, statutory, or charter debt
43 limitation or restriction.

44 7. The authority or other public body shall have the power to exercise all or any
45 part or combination of the powers herein granted; to make such covenants, other than and
46 in addition to the covenants herein expressly authorized; and to do any and all such acts
47 and things as may be necessary or convenient or desirable in order to secure its bonds, or,
48 in the absolute discretion of said authority or other public body, as will tend to make the
49 bonds more marketable notwithstanding that such covenants, acts, or things may not be
50 enumerated herein.

67.2033. 1. Once a sports center redevelopment plan is approved or adopted by the
2 city and the authority in accordance with sections 67.2000 to 67.2060, thereafter, for a
3 period established by the city in the ordinance approving the sports center redevelopment
4 plan or project, not to exceed thirty-five years, economic activity taxes generated within
5 the sports center redevelopment area shall be allocated to and, when collected, paid by the
6 local political subdivision collecting officer to the treasurer or other designated financial
7 officer of the city or other public body who shall deposit such funds into the special
8 allocation fund of the city or other public body for the purposes enumerated in sections
9 67.2000 to 67.2060, including, but not limited to, the purpose of paying project costs and
10 bonds incurred in connection therewith.

11 2. Subject to annual appropriation, the city or any other public body may provide
12 a fixed annual appropriation beginning not earlier than July of the third calendar year
13 after adoption of the resolution or declaration approving the need for a sports center
14 redevelopment authority for purposes of providing debt service over not more than thirty
15 years for bonds in support of a sports center redevelopment plan, including project costs.
16 On the date of the issuance of the bonds, the city's portion of revenues received from
17 naming rights for the stadium, as determined by the city, and subject to any limitations of
18 the Internal Revenue Code for tax-exempt financing, shall be deposited in the city naming
19 rights fund. Available amounts in the city naming rights fund shall be drawn upon by the
20 city in the event that the cumulative economic activity taxes from the sports center
21 redevelopment area, measured initially ten years following the issuance of the bonds and
22 at five-year intervals thereafter and taking into account any prior payments to the city, are
23 less than the cumulative annual appropriations for the applicable period made by the city
24 for the debt service on the bonds. Subject to the limitations of the Internal Revenue Code

25 for tax-exempt financing and to the reimbursement of the city for any deficiency in the
26 economic activity taxes, any excess amounts in the city naming rights fund, as determined
27 by the city, shall be used for the benefit of the stadium, in the time and manner specified
28 in and subject to the terms of the redevelopment contracts and related agreements. In the
29 event that the city naming rights fund shall be drawn upon for reimbursement of the city
30 for any deficiency in the economic activity taxes, then the amount in the city naming rights
31 fund shall be restored to the amount required by the city to the extent of any additional
32 revenues from naming rights, subject to the limitations of the Internal Revenue Code for
33 tax-exempt financing. The city is authorized to enter into a financing agreement or other
34 contract with the authority or any other public body relating to the issuance of the bonds.

35 3. Subject to annual appropriation, the state may provide a fixed annual
36 appropriation not to exceed seven million dollars per year beginning not earlier than July
37 of the third calendar year after adoption of the resolution or declaration approving the
38 need for a sports center redevelopment authority for purposes of providing debt service
39 over not more than thirty years for bonds that will provide a net sum not to exceed one
40 hundred million dollars in support of a sports center redevelopment plan, including project
41 costs. Such amount shall be net of all reserves, capitalized interest, and costs of issuance
42 for financing such net amount provided that in no year shall the amount appropriated
43 pursuant to sections 67.2000 to 67.2060 for project costs for any one project exceed seven
44 million dollars. On the date of the issuance of the bonds, the state's portion of revenues
45 received from naming rights for the stadium, as determined by the state and subject to the
46 limitations of the Internal Revenue Code for tax-exempt financing, shall be deposited in
47 the state naming rights fund. Available amounts in the state naming rights fund shall be
48 drawn upon by the state in the event that the cumulative new state revenues from the
49 sports center redevelopment area, measured initially ten years following the issuance of the
50 bonds and at five-year intervals thereafter and taking into account any prior payments to
51 the state, are less than the cumulative annual appropriations for the applicable period
52 made by the state for the debt service on the bonds. Subject to the limitations of the
53 Internal Revenue Code for tax-exempt financing and to the reimbursement of the state for
54 any deficiency in the new state revenues, any excess amounts in the state naming rights
55 fund, as determined by the state, shall be used for the benefit of the stadium, subject to the
56 terms of the redevelopment contracts and related agreements. In the event that the state
57 naming rights fund shall be drawn upon for reimbursement of the state for any deficiency
58 in the new state revenues, then the amount in the state naming rights fund shall be restored
59 to the amount required by the state to the extent of any additional revenues from naming
60 rights, subject to the limitations of the Internal Revenue Code for tax-exempt financing.

61 The state is authorized to enter into a financing agreement or other contract with the
62 authority or any other public body relating to the issuance of the bonds.

63 4. At the time of issuance of any bonds payable from the state's annual
64 appropriation in accordance with subsection 3 of this section for the purpose of
65 constructing a stadium, and prior to release of any proceeds of such bonds, all additional
66 funds or financial instruments necessary to complete the construction of such stadium shall
67 be deposited into a construction fund by the city, the county and any lessee, redeveloper
68 or sports franchise leasing such stadium.

67.2036. 1. At least once a year, the authority shall file with the city, the state, and
2 any other participating public body a report of its activities for the preceding year, and
3 shall make recommendations with reference to such additional legislation or other action
4 as it deems necessary in order to carry out the provisions of sections 67.2000 to 67.2060.

5 2. The authority shall, not less than once every three years, hold a public hearing
6 regarding the sports center redevelopment plan. The purpose of the hearing shall be to
7 determine if the authority is making satisfactory progress under the proposed time
8 schedule for completion of such plan and the remediation of the conditions, the existence
9 of which qualified the sports center redevelopment area as a blighted area or conservation
10 area. Notice of such public hearing shall be given in a newspaper of general circulation in
11 the sports center redevelopment area once each week for four weeks immediately before
12 the hearing.

67.2039. 1. When the costs of carrying out a sports center redevelopment plan have
2 been paid, including, but not limited to, project costs and all bonds to finance such costs,
3 all surplus funds then remaining in any special allocation fund shall be paid by the
4 treasurer or other designated financial officer of the city or other public body to the
5 applicable taxing districts.

6 2. Upon the payment of all such sports center redevelopment plan and project costs,
7 retirement of all such bonds, and the distribution of any excess moneys, the city or other
8 public body shall dissolve any special allocation fund for the sports center redevelopment
9 area and cease allocating any economic activity taxes to such fund. Thereafter, the rates
10 of the taxing districts shall be extended and taxes levied, collected, and distributed in the
11 manner applicable in the absence of the approval of a sports center redevelopment plan.

12 3. Nothing herein shall be construed as relieving property in the affected areas from
13 paying a uniform rate of taxes, as required by article X, section 3 of the Missouri
14 Constitution.

67.2042. Notwithstanding any other provision to the contrary, with respect to any
2 sports center redevelopment plan approved in any city not within a county, any county

3 with a charter form of government and with more than one million inhabitants may
4 annually contribute tax revenues deposited in the county convention and recreation trust
5 fund, or any other general or special fund designated by the county, in support of the
6 sports center redevelopment plan.

67.2045. 1. The income of the authority and all properties at any time owned by
2 the authority shall be exempt from all taxation in the state. For the purposes of section
3 409.402, RSMo, all bonds issued by the authority shall be deemed to be securities issued
4 by a public instrumentality of the state.

5 2. The authority is hereby declared to be performing a public function and bonds
6 of the authority are declared to be issued for an essential public and governmental purpose
7 and, accordingly, interest thereon and income therefrom shall be exempt from income
8 taxation by the state.

9 3. The bonds of the authority are securities in which all public officers and bodies
10 of the state and all municipalities and municipal subdivisions, all insurance companies and
11 associations and other persons carrying on an insurance business, all banks, trust
12 companies, savings associations, savings and loan associations and investment companies,
13 all administrators, guardians, executors, trustees, and other fiduciaries, and all other
14 persons whatsoever who are now or may hereafter be authorized to invest in bonds or
15 other obligations of the state, may properly and legally invest funds, including capital, in
16 their control or belonging to them.

67.2048. 1. Notwithstanding sections 8.250, 8.285 to 8.291, 8.675 to 8.687, RSMo,
2 and section 107.170, RSMo, or any charter provision to the contrary, the authority and any
3 other public body may establish such systems and procedures for the design, construction,
4 and delivery of a sports center redevelopment project as they shall deem necessary or
5 convenient to carry out and effectuate sections 67.2000 to 67.2060, including the use of the
6 design-build method of construction, the use of a construction manager authorized to
7 provide a guaranteed maximum price for the design and construction of the project, and
8 the use of qualifications-based selection of architects, consultants, contractors, or design-
9 builders, provided that:

10 (1) Competitive bids are obtained from subcontractors performing construction
11 work on the project;

12 (2) If a separate performance and payment bond is not required for the
13 construction manager, general contractor, or design-build entity, then all trade work to be
14 performed for the project shall be covered by performance and payment bonds; and

15 (3) Any detailed design criteria and final working drawings for the project shall be
16 prepared by a licensed architect or engineer.

17 **2. For the purposes of this section, the following terms mean:**

18 **(1) "Design-build", a process of entering into and managing a contract between the**
19 **authority or any other public body or any developer or other participant in a sports center**
20 **redevelopment project and another party in which the other party agrees to both design**
21 **and build any structure, facility, or other item included in the project;**

22 **(2) "Qualifications-based selection", a process of entering into and managing a**
23 **contract between the authority or any other public body or any developer or other**
24 **participant in a sports center redevelopment project and another party in which the other**
25 **party is selected on the basis of the party's qualifications and experience in designing or**
26 **constructing facilities, structures, or other items similar to those the authority is authorized**
27 **to undertake.**

67.2051. The authority shall be deemed to be a political subdivision of the state or
2 **instrumentality thereof exempt from taxation pursuant to subdivision (1) of subsection 1**
3 **of section 144.062, RSMo, and shall have the authority to issue exemption certificates**
4 **pursuant to such section.**

67.2054. 1. This section shall be referred to as the "Taxpayer Protection
2 **Provisions". For the purposes of this section, the following terms mean:**

3 **(1) "Lease", any lease, project agreement, or similar agreement pursuant to which**
4 **a team is leasing or using a stadium;**

5 **(2) "Mixed-use facilities", any housing, offices, museums, entertainment venues,**
6 **retail stores, restaurants, parking, and similar facilities included in a sports center**
7 **redevelopment plan;**

8 **(3) "Public Participant", the state and any city and county which have established**
9 **an authority; and**

10 **(4) "Team", a major league sports team which leases a stadium or is expected to**
11 **lease a stadium pursuant to a sports center redevelopment plan.**

12 **2. The lease shall be for an initial term of at least thirty-five years, and shall include**
13 **at a minimum substantially the following provisions, which shall apply for the periods, and**
14 **be subject to such terms, conditions, limitations, and remedies, as shall be agreed to by the**
15 **authority and specified in the lease:**

16 **(1) The team shall play its home games at the stadium and shall not relocate outside**
17 **the boundaries of the city in which the stadium is located;**

18 **(2) The team shall make available at least six thousand tickets per regular season**
19 **home game in the stadium at a price of not more than twelve dollars per ticket in year 2000**
20 **dollars;**

21 **(3) The team, in conjunction with the public participants, shall distribute at least**

22 one hundred thousand complimentary tickets per year to youth and other charitable
23 organizations;

24 (4) The team shall contribute at least one hundred thousand dollars per year to the
25 development, construction, or refurbishment of neighborhood recreational facilities that
26 will primarily benefit or serve disadvantaged youth in the city and the county which have
27 established an authority;

28 (5) The team shall pay all operating and maintenance expenses of the stadium, and
29 shall pay costs of capital improvements to the stadium in accordance with the terms of the
30 lease;

31 (6) In the event of the sale of the team, the team or its owners shall pay to the
32 authority and the public participants a portion of the sale price which is attributable to the
33 lease and the stadium, calculated in accordance with such formula or criteria as shall be
34 determined by the authority and the public participants in their sole judgment and agreed
35 to by the team and provided in the redevelopment contract relating to the stadium; and

36 (7) The team shall make payments in lieu of taxes in each year to the city and other
37 taxing districts in which the stadium is located in an amount equal to the amounts of ad
38 valorem property taxes paid in the calendar year immediately preceding the calendar year
39 in which the resolution or declaration approving the need for a sports center
40 redevelopment authority is adopted less the amounts of any ad valorem property taxes and
41 payments in lieu of such taxes paid in each such year to the city and other taxing districts
42 with respect to the stadium, the lease, and the mixed-use facilities.

43 3. The team shall guarantee the acquisition, construction, and equipping of the
44 stadium in accordance with the sports center redevelopment plan, and shall be responsible
45 for paying any cost overruns in connection therewith, subject to compliance by the
46 authority and the sponsors with their commitments and undertakings regarding the
47 stadium made in accordance with sections 67.2000 to 67.2060 and to such commercially
48 reasonable act of God provisions as may be agreed to by the authority and the public
49 participants.

50 4. The team shall provide to the public participants guarantees or other assurances
51 or undertakings satisfactory to them as to the commencement, acquisition, construction,
52 or equipping of the mixed-use facilities, which shall include aggregate penalties in an
53 amount of one hundred million dollars which penalties shall be payable over the
54 anticipated term of any obligations and in the manner and on such terms and within such
55 times as are prescribed in the sports center redevelopment plan, for the failure to
56 accomplish such commencement, acquisition, construction, or equipping of the mixed-use
57 facilities.

58 **5. The team and any developer of the stadium shall comply with all applicable**
59 **federal, state, and local laws and executive orders regarding contracting, hiring, and**
60 **employment, subject to section 67.2048. The team shall set a goal for the acquisition,**
61 **construction, and equipping of the stadium of twenty-five percent for minority-owned**
62 **business participation and five percent for women-owned business participation.**

63 **6. The authority shall not issue any bonds payable from an appropriation by the**
64 **public participants in support of a stadium included in a sports center redevelopment plan**
65 **unless such stadium is owned in fee simple title by the authority.**

66 **7. The authority, as owner of the stadium, shall own the right to name the stadium,**
67 **subject to the right of the team to approve the name.**

68 **8. Any stadium constructed with the proceeds of bonds for which the state is**
69 **providing an annual appropriation pursuant to subsection 3 of section 67.2033 shall**
70 **contain a luxury suite which is available to the public through a lottery or other fan**
71 **selection process, as designated by the authority in the stadium lease, which ensures that**
72 **the public at large has access to such suite for all home games played at the stadium. No**
73 **rent, fees, or charges of any kind shall apply to the use of such suite.**

67.2057. Sections 67.2000 to 67.2060 shall be construed liberally to effectuate the
2 **purposes hereof. Insofar as sections 67.2000 to 67.2060 are inconsistent with the provisions**
3 **of any other law, sections 67.2000 to 67.2060 shall be controlling.**

67.2059. Notwithstanding any other provisions of sections 67.2000 to 67.2060, the
2 **team, as defined by section 67.2054, that leases a baseball stadium in a city not within a**
3 **county shall, on January 31, 2011, pay to the state of Missouri the sum of one hundred fifty**
4 **million dollars, unless, at a minimum, five of the following six components of the adjacent**
5 **ballpark village project are substantially completed by December 31, 2010:**

- 6 **(1) One thousand eight hundred fifty parking spaces;**
7 **(2) Four hundred residential units;**
8 **(3) Four hundred seventy thousand square feet of office space;**
9 **(4) One hundred ten thousand square feet of commercial or retail space;**
10 **(5) A sports-related museum covering at least sixteen thousand square feet;**
11 **(6) An entertainment attraction covering at least ninety four thousand square feet.**

12

13 **Such requirement shall be incorporated into any agreement executed by the state with**
14 **regards to any project agreement for a baseball stadium in any city not within a county.**
15 **There shall be no offsets or credits allowed against this payment.**

67.2060. The powers conferred by sections 67.2000 to 67.2060 shall be in addition
2 **and supplemental to the powers conferred by any other law.**

172.273. 1. The curators of the University of Missouri may establish research,
2 development and office park projects, in order to promote cooperative relationships and to
3 provide for shared resources between private individuals, companies and corporations, and the
4 University of Missouri, for the advancement of the university in carrying out its educational
5 mission and such projects are declared to be in furtherance of the purposes of the university.

6 2. The curators may, in connection with such projects, enter into written, mutually
7 binding leases or agreements with individuals, businesses, corporations, and professional firms
8 participating in the project for the purpose of expanding business and professional opportunities
9 for students, faculty and graduates of the university and of the area it serves, and for making
10 available to the university the resources and expertise of the business and professional entities
11 participating in the project.

12 3. The curators may purchase necessary land and may purchase and construct or arrange
13 for or permit the construction of any necessary facilities for such projects, may utilize the power
14 of eminent domain, and may in any other manner acquire and accept in the name of the curators
15 of the University of Missouri suitable land and facilities for such projects, and may enter into
16 business arrangements, including long-term leases, for the development thereof. The curators
17 may also acquire options upon lands to be purchased. Lands and improvements utilized as a part
18 of such projects, so long as they remain a part of a project, shall not be subject to local zoning
19 or local regulatory ordinances; provided that if the project is located within a city or county, the
20 university is required to consult with the city or county, prior to board of curators' approval of
21 the master development plan or substantial amendments thereto. The city or county plan
22 commission may hold and complete a public hearing on such plan within forty-five days of
23 submission to the city or county and the city or county within fifteen days thereafter may issue
24 its advisory recommendations to the curators. The curators may in their sole discretion require
25 that project development conform to the planning, transportation, environmental, health and
26 safety requirements of such city or county. Interests in property included in such projects may
27 be conveyed as needed, without passage of a concurrent resolution as provided by the provisions
28 of section 172.020. The utilization of the real property, as provided in subsection 1 of this
29 section, is hereby deemed to be a public purpose and in furtherance of the purposes of the
30 university. Provided such land is owned by the university, no leasehold or other interest therein,
31 by whomsoever held, shall be separately assessed or taxed, and such real property as a whole
32 shall be deemed the property of the curators of the University of Missouri and be exempt from
33 all forms of property tax.

34 4. For the purpose of developing and operating the project, the curators may enter into
35 cooperative agreements, including leases, in the same manner and to the same extent that
36 political subdivisions are authorized to enter into such agreements by the provisions of section

37 70.220, RSMo.

38 5. Whenever the curators' acquisition of land for such a research, development and office
39 park project will result in displacement, relocation assistance and monetary benefits identical to
40 those provided by subchapter II of the Uniform Relocation Assistance and Real Property
41 Acquisition Policies Act of 1970, 42 U.S.C. 4621 et seq., and its implementing regulations shall
42 be afforded to each displaced occupant or entity.

43 6. Notwithstanding the exemption of the curators of the University of Missouri from
44 municipal regulation and the provisions of subsection 3 of this section, any entity acting pursuant
45 to a lease or cooperative agreement with the curators may request that permits, licenses and
46 certificates be issued by a city or county where a project is to be located in order to aid in the
47 construction, operation and financing of such project. Such permits, licenses and certificates may
48 be issued by the city or county after review and approval of plans submitted by an architect or
49 engineer licensed to practice in the state of Missouri. Any entity may also request that
50 inspections be conducted by such city or county if such activities are normally performed by the
51 city or county in the enforcement of its building code.

52 7. Such doctrines of sovereign and official immunity and the public duty doctrines as
53 now exist for the issuance of permits, licenses, certificates and performance of inspections shall
54 apply to any city, county or official or employee thereof issuing permits, licenses, and certificates
55 or performing inspections pursuant thereto with respect to any claim brought for damages as a
56 result of the wrongful or negligent issuance of such permit, license or certificate or the
57 performance of inspections.

58 8. The exemption from assessment and taxation provided by subsection 3 of this section
59 for leaseholds in property owned by the university in a research park project shall not be
60 available for leases entered into from and after August 28, 1996. Notwithstanding the foregoing
61 and any provision of this section to the contrary, all leaseholds in property in such parks leased
62 by the university to tenants for research, development, office or any other nonrecreational use
63 prior to August 28, 1996, including leaseholds created after August 28, 1996, under options or
64 similar rights which were granted prior to January 1, 1996, shall be exempt from assessment and
65 taxation for the term of such lease, provided that leaseholds in property used for recreational
66 purposes shall be subject to assessment and taxation as determined by the assessor of the local
67 political subdivision, and all lands and improvements in such parks, by whomsoever owned.

68 **9. After August 28, 2002, and subject to an appropriation for that purpose, the**
69 **curators of the University of Missouri, may establish a research, development and office**
70 **park in any county with a charter form of government and with more than six hundred**
71 **thousand but less than seven hundred thousand inhabitants to foster business development**
72 **and provide business incubator facilities. The curators of the University of Missouri are**

73 encouraged, to the largest extent possible, to reinvest any profits resulting from the
74 provisions of this section in the research activities of the University of Missouri.

Section 1. 1. An eligible small business, as defined in section 44 of the Internal
2 Revenue Code, shall be allowed a credit for the first ten years immediately following the
3 base year against the tax otherwise due pursuant to chapter 143, RSMo, not including
4 sections 143.191 to 143.265, RSMo, in an amount equal to the amount of new state revenues
5 as defined in subsection 5 of this section generated by a capital expenditure described in
6 subsection 2 of this section, provided the small business has complied with subsection 2 of
7 this section.

8 2. In order to qualify for the credit authorized by this section, an eligible small
9 business must make a capital expenditure of twenty-five thousand dollars or more in the
10 base year. For purposes of this section, "capital expenditure" means an expenditure made
11 by a small business for the purpose of the long-term betterment or addition to the company
12 and under generally accepted accounting principles, is not properly chargeable as an
13 expense of operation and maintenance. "Base year" shall mean the businesses' taxable
14 year in which the qualifying capital expenditure is made after January 1, 2003, but before
15 January 1, 2005.

16 3. The tax credit allowed by this section shall be claimed by the taxpayer at the time
17 such taxpayer files a return accompanied by certifying documentation as required by the
18 department of economic development and the department of revenue. Any amount of tax
19 credit which exceeds the tax due may be carried forward five taxable years, but shall not
20 be refunded and shall not be transferrable. The amount of tax credit cannot exceed the
21 amount of the eligible capital expenditure as described in subsection 2 of this section.

22 4. The department of economic development and the department of revenue shall
23 promulgate rules and regulations to administer the provisions of this section. No rule or
24 portion of a rule promulgated pursuant to the authority of this section shall become
25 effective unless it has been promulgated pursuant to chapter 536, RSMo.

26 5. For purposes of this section, "new state revenues" means:

27 (1) The incremental increase in state income tax revenues levied pursuant to
28 chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo. The incremental
29 increase in such revenues shall be the amount that such state income tax revenues exceeds
30 the state income tax revenues in the base year as defined in subsection 2 of this section;

31 (2) The incremental increase in the general revenue portion of the state sales tax
32 revenues received pursuant to section 144.020, RSMo, excluding sales taxes that are
33 constitutionally dedicated, taxes deposited in the school district trust fund in accordance
34 with section 144.071, RSMo, sales and use taxes on motor vehicles, trailers, boats, and

35 outboard motors, and future sales taxes earmarked by law. The incremental increase in
36 such revenues shall be the amount that such state sales tax revenues exceeds the state sales
37 tax revenues in the base year as defined in subsection 2 of this section; and

38 (3) The state income tax withheld on behalf of new employees by the employer
39 pursuant to section 143.221, RSMo, at the business location where the capital expenditure
40 made in subsection 2 has been made for new employees who fill new jobs created by such
41 capital expenditure.