

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 69**  
94TH GENERAL ASSEMBLY

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Reported from the Committee on Economic Development, Tourism and Local Government, April 12, 2007, with recommendation that the Senate Committee Substitute do pass.

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal sections 67.1360, 67.2500, 67.2510, 89.010, 89.400, 94.837, RSMo, section 67.1000, as enacted by senate committee substitute for senate bill no. 820, eighty-ninth general assembly, second regular session, section 67.1000, as enacted by house bill no. 1587, eighty-ninth general assembly, second regular session, section 67.2505 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill nos. 795, 972, 1128 & 1161 merged with house substitute for senate committee substitute for senate bill no. 1155, ninety-second general assembly, second regular session, and section 67.2505 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 833 merged with house committee substitute for senate substitute for senate bill no. 732, ninety-second general assembly, second regular session, and to enact in lieu thereof eight new sections relating to political subdivisions.

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

Section A. Sections 67.1360, 67.2500, 67.2510, 89.010, 89.400, 94.837,  
2 RSMo, section 67.1000, as enacted by senate committee substitute for senate bill  
3 no. 820, eighty-ninth general assembly, second regular session, section 67.1000,  
4 as enacted by house bill no. 1587, eighty-ninth general assembly, second regular  
5 session, section 67.2505 as enacted by conference committee substitute for senate  
6 substitute for senate committee substitute for house committee substitute for  
7 house bill nos. 795, 972, 1128 & 1161 merged with house substitute for senate

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

8 committee substitute for senate bill no. 1155, ninety-second general assembly,  
9 second regular session, and section 67.2505 as enacted by senate substitute for  
10 senate committee substitute for house committee substitute for house bill no. 833  
11 merged with house committee substitute for senate substitute for senate bill no.  
12 732, ninety-second general assembly, second regular session, are repealed and  
13 eight new sections enacted in lieu thereof, to be known as sections 67.1000,  
14 67.1360, 67.2500, 67.2505, 67.2510, 89.010, 89.400, and 94.837 to read as follows:

67.1000. 1. The governing body of any county or of any city which is the  
2 county seat of any county or which now or hereafter has a population of more  
3 than three thousand five hundred inhabitants and which has heretofore been  
4 authorized by the general assembly, or of any other city which has a population  
5 of more than eighteen thousand and less than forty-five thousand inhabitants  
6 located in a county of the first classification with a population over two hundred  
7 thousand adjacent to a county of the first classification with a population over  
8 nine hundred thousand, may impose a tax on the charges for all sleeping rooms  
9 paid by the transient guests of hotels or motels situated in the city or county,  
10 which shall be not more than five percent per occupied room per night, except  
11 that such tax shall not become effective unless the governing body of the city or  
12 county submits to the voters of the city or county at an election permitted under  
13 section 115.123, RSMo, a proposal to authorize the governing body of the city or  
14 county to impose a tax under the provisions of this section and section  
15 67.1002. The tax authorized by this section and section 67.1002 shall be in  
16 addition to the charge for the sleeping room and shall be in addition to any and  
17 all taxes imposed by law and the proceeds of such tax shall be used by the city  
18 or county solely for funding a convention and visitors bureau which shall be a  
19 general not-for-profit organization with whom the city or county has contracted,  
20 and which is established for the purpose of promoting the city or county as a  
21 convention, visitor and tourist center. Such tax shall be stated separately from  
22 all other charges and taxes.

23 **2. In any county of the third classification without a township**  
24 **form of government and with more than forty-one thousand one**  
25 **hundred but fewer than forty-one thousand two hundred inhabitants,**  
26 **"transient guests", as used in this section and section 67.1002, means a**  
27 **person or persons who occupy a room or rooms in a hotel or motel for**  
28 **ninety days or less during any calendar quarter.**

67.1360. The governing body of:

2 (1) A city with a population of more than seven thousand and less than  
3 seven thousand five hundred;

4           (2) A county with a population of over nine thousand six hundred and less  
5 than twelve thousand which has a total assessed valuation of at least sixty-three  
6 million dollars, if the county submits the issue to the voters of such county prior  
7 to January 1, 2003;

8           (3) A third class city which is the county seat of a county of the third  
9 classification without a township form of government with a population of at least  
10 twenty-five thousand but not more than thirty thousand inhabitants;

11           (4) Any fourth class city having, according to the last federal decennial  
12 census, a population of more than one thousand eight hundred fifty inhabitants  
13 but less than one thousand nine hundred fifty inhabitants in a county of the first  
14 classification with a charter form of government and having a population of  
15 greater than six hundred thousand but less than nine hundred thousand  
16 inhabitants;

17           (5) Any city having a population of more than three thousand but less  
18 than eight thousand inhabitants in a county of the fourth classification having  
19 a population of greater than forty-eight thousand inhabitants;

20           (6) Any city having a population of less than two hundred fifty inhabitants  
21 in a county of the fourth classification having a population of greater than  
22 forty-eight thousand inhabitants;

23           (7) Any fourth class city having a population of more than two thousand  
24 five hundred but less than three thousand inhabitants in a county of the third  
25 classification having a population of more than twenty-five thousand but less  
26 than twenty-seven thousand inhabitants;

27           (8) Any third class city with a population of more than three thousand two  
28 hundred but less than three thousand three hundred located in a county of the  
29 third classification having a population of more than thirty-five thousand but less  
30 than thirty-six thousand;

31           (9) Any county of the second classification without a township form of  
32 government and a population of less than thirty thousand;

33           (10) Any city of the fourth class in a county of the second classification  
34 without a township form of government and a population of less than thirty  
35 thousand;

36           (11) Any county of the third classification with a township form of  
37 government and a population of at least twenty-eight thousand but not more than  
38 thirty thousand;

39           (12) Any city of the fourth class with a population of more than one  
40 thousand eight hundred but less than two thousand in a county of the third  
41 classification with a township form of government and a population of at least

42 twenty-eight thousand but not more than thirty thousand;

43 (13) Any city of the third class with a population of more than seven  
44 thousand two hundred but less than seven thousand five hundred within a county  
45 of the third classification with a population of more than twenty-one thousand but  
46 less than twenty-three thousand;

47 (14) Any fourth class city having a population of more than two thousand  
48 eight hundred but less than three thousand one hundred inhabitants in a county  
49 of the third classification with a township form of government having a  
50 population of more than eight thousand four hundred but less than nine thousand  
51 inhabitants;

52 (15) Any fourth class city with a population of more than four hundred  
53 seventy but less than five hundred twenty inhabitants located in a county of the  
54 third classification with a population of more than fifteen thousand nine hundred  
55 but less than sixteen thousand inhabitants;

56 (16) Any third class city with a population of more than three thousand  
57 eight hundred but less than four thousand inhabitants located in a county of the  
58 third classification with a population of more than fifteen thousand nine hundred  
59 but less than sixteen thousand inhabitants;

60 (17) Any fourth class city with a population of more than four thousand  
61 three hundred but less than four thousand five hundred inhabitants located in  
62 a county of the third classification without a township form of government with  
63 a population greater than sixteen thousand but less than sixteen thousand two  
64 hundred inhabitants;

65 (18) Any fourth class city with a population of more than two thousand  
66 four hundred but less than two thousand six hundred inhabitants located in a  
67 county of the first classification without a charter form of government with a  
68 population of more than fifty-five thousand but less than sixty thousand  
69 inhabitants;

70 (19) Any fourth class city with a population of more than two thousand  
71 five hundred but less than two thousand six hundred inhabitants located in a  
72 county of the third classification with a population of more than nineteen  
73 thousand one hundred but less than nineteen thousand two hundred inhabitants;

74 (20) Any county of the third classification without a township form of  
75 government with a population greater than sixteen thousand but less than  
76 sixteen thousand two hundred inhabitants;

77 (21) Any county of the second classification with a population of more  
78 than forty-four thousand but less than fifty thousand inhabitants;

79 (22) Any third class city with a population of more than nine thousand

80 five hundred but less than nine thousand seven hundred inhabitants located in  
81 a county of the first classification without a charter form of government and with  
82 a population of more than one hundred ninety-eight thousand but less than one  
83 hundred ninety-eight thousand two hundred inhabitants;

84 (23) Any city of the fourth classification with more than five thousand two  
85 hundred but less than five thousand three hundred inhabitants located in a  
86 county of the third classification without a township form of government and with  
87 more than twenty-four thousand five hundred but less than twenty-four thousand  
88 six hundred inhabitants;

89 (24) Any third class city with a population of more than nineteen  
90 thousand nine hundred but less than twenty thousand in a county of the first  
91 classification without a charter form of government and with a population of more  
92 than one hundred ninety-eight thousand but less than one hundred ninety-eight  
93 thousand two hundred inhabitants;

94 (25) Any city of the fourth classification with more than two thousand six  
95 hundred but less than two thousand seven hundred inhabitants located in any  
96 county of the third classification without a township form of government and with  
97 more than fifteen thousand three hundred but less than fifteen thousand four  
98 hundred inhabitants;

99 (26) Any county of the third classification without a township form of  
100 government and with more than fourteen thousand nine hundred but less than  
101 fifteen thousand inhabitants;

102 (27) Any city of the fourth classification with more than five thousand four  
103 hundred but fewer than five thousand five hundred inhabitants and located in  
104 more than one county;

105 (28) Any city of the fourth classification with more than six thousand  
106 three hundred but fewer than six thousand five hundred inhabitants and located  
107 in more than one county **through the creation of a tourism district which**  
108 **may include, in addition to the geographic area of such city, the area**  
109 **encompassed by the portion of the school district, located within a**  
110 **county of the first classification with more than ninety-three thousand**  
111 **eight hundred but fewer than ninety-three thousand nine hundred**  
112 **inhabitants, having an average daily attendance for school year 2005-**  
113 **2006 between one thousand eight hundred and one thousand nine**  
114 **hundred;**

115 (29) Any city of the fourth classification with more than seven thousand  
116 seven hundred but less than seven thousand eight hundred inhabitants located  
117 in a county of the first classification with more than ninety-three thousand eight

118 hundred but less than ninety-three thousand nine hundred inhabitants;

119 (30) Any city of the fourth classification with more than two thousand  
120 nine hundred but less than three thousand inhabitants located in a county of the  
121 first classification with more than seventy-three thousand seven hundred but less  
122 than seventy-three thousand eight hundred inhabitants; or

123 (31) Any city of the third classification with more than nine thousand  
124 three hundred but less than nine thousand four hundred inhabitants;  
125 may impose a tax on the charges for all sleeping rooms paid by the transient  
126 guests of hotels, motels, bed and breakfast inns and campgrounds and any  
127 docking facility which rents slips to recreational boats which are used by  
128 transients for sleeping, which shall be at least two percent, but not more than  
129 five percent per occupied room per night, except that such tax shall not become  
130 effective unless the governing body of the city or county submits to the voters of  
131 the city or county at a state general, primary or special election, a proposal to  
132 authorize the governing body of the city or county to impose a tax pursuant to the  
133 provisions of this section and section 67.1362. The tax authorized by this section  
134 and section 67.1362 shall be in addition to any charge paid to the owner or  
135 operator and shall be in addition to any and all taxes imposed by law and the  
136 proceeds of such tax shall be used by the city or county solely for funding the  
137 promotion of tourism. Such tax shall be stated separately from all other charges  
138 and taxes.

67.2500. 1. **A theater, cultural arts, and entertainment district**  
2 **may be established in the manner provided in section 67.2505** by the  
3 governing body of any **county, city, town, or village that has adopted**  
4 **transect-based zoning under chapter 89, RSMo, any county described**  
5 **in this subsection, or any** city, town, or village that is within [a first class  
6 county with a charter form of government with a population over two hundred  
7 fifty thousand that adjoins a first class county with a charter form of government  
8 with a population over nine hundred thousand, or that is within] **such counties:**

9 (1) Any county with a charter form of government and with more than  
10 two hundred fifty thousand but less than three hundred fifty thousand  
11 inhabitants[, may establish a theater, cultural arts, and entertainment district  
12 in the manner provided in section 67.2505];

13 (2) **Any county of the first classification with more than**  
14 **ninety-three thousand eight hundred but fewer than ninety-three**  
15 **thousand nine hundred inhabitants;**

16 (3) **Any county of the first classification with more than one**  
17 **hundred eighty-four thousand but fewer than one hundred eighty-eight**

18 **thousand inhabitants;**

19 **(4) Any county with a charter form of government and with more**  
20 **than six hundred thousand but fewer than seven hundred thousand**  
21 **inhabitants;**

22 **(5) Any county of the first classification with more than one**  
23 **hundred thirty-five thousand four hundred but fewer than one hundred**  
24 **thirty-five thousand five hundred inhabitants;**

25 **(6) Any county of the first classification with more than one**  
26 **hundred four thousand six hundred but fewer than one hundred four**  
27 **thousand seven hundred inhabitants.**

28 2. Sections 67.2500 to 67.2530 shall be known as the "Theater, Cultural  
29 Arts, and Entertainment District Act".

30 3. As used in sections 67.2500 to 67.2530, the following terms mean:

31 (1) "District", a theater, cultural arts, and entertainment district  
32 organized under this section;

33 (2) "Qualified electors", "qualified voters", or "voters", registered voters  
34 residing within the district or subdistrict, or proposed district or subdistrict, who  
35 have registered to vote pursuant to chapter 115, RSMo, or, if there are no persons  
36 eligible to be registered voters residing in the district or subdistrict, proposed  
37 district or subdistrict, property owners, including corporations and other entities,  
38 that are owners of real property;

39 (3) "Registered voters", persons qualified and registered to vote pursuant  
40 to chapter 115, RSMo; and

41 (4) "Subdistrict", a subdivision of a district, but not a separate political  
42 subdivision, created for the purposes specified in subsection 5 of section 67.2505.

67.2505. 1. A district may be created to fund, promote, and provide  
2 educational, civic, musical, theatrical, cultural, concerts, lecture series, and  
3 related or similar entertainment events or activities, and to fund, promote, plan,  
4 design, construct, improve, maintain, and operate public improvements,  
5 **infrastructure**, transportation projects, and related facilities in the district.

6 2. A district is a political subdivision of the state.

7 3. The name of a district shall consist of a name chosen by the original  
8 petitioners, preceding the words "theater, cultural arts, and entertainment  
9 district".

10 4. The district shall include a minimum of **[fifty] twenty-five** contiguous  
11 acres.

12 5. Subdistricts shall be formed for the purpose of voting upon proposals  
13 for the creation of the district or subsequent proposed subdistrict, voting upon the

14 question of imposing a proposed sales tax, and for representation on the board of  
15 directors, and for no other purpose.

16           6. Whenever the creation of a district is desired, one or more registered  
17 voters from each subdistrict of the proposed district, or one or more property  
18 owners who collectively own one or more parcels of real estate comprising at least  
19 a majority of the land situated in the proposed subdistricts within the proposed  
20 district, may file a petition requesting the creation of a district with the  
21 governing body of the city, town, or village within which the proposed district is  
22 to be established. The petition shall contain the following information:

23           (1) The name, address, and phone number of each petitioner and the  
24 location of the real property owned by the petitioner;

25           (2) The name of the proposed district;

26           (3) A legal description of the proposed district, including a map  
27 illustrating the district boundaries, which shall be contiguous, and the division  
28 of the district into at least five, but not more than fifteen, subdistricts that shall  
29 contain, or are projected to contain upon full development of the subdistricts,  
30 approximately equal populations;

31           (4) A statement indicating the number of directors to serve on the board,  
32 which shall be not less than five or more than fifteen;

33           (5) A request that the district be established;

34           (6) A general description of the activities that are planned for the district;

35           (7) A proposal for a sales tax to fund the district initially, pursuant to the  
36 authority granted in sections 67.2500 to 67.2530, together with a request that the  
37 imposition of the sales tax be submitted to the qualified voters within the district;

38           (8) A statement that the proposed district shall not be an undue burden  
39 on any owner of property within the district and is not unjust or unreasonable;

40           (9) A request that the question of the establishment of the district be  
41 submitted to the qualified voters of the district;

42           (10) A signed statement that the petitioners are authorized to submit the  
43 petition to the governing body; and

44           (11) Any other items the petitioners deem appropriate.

45           7. Upon the filing **and approval** of a petition pursuant to this section,  
46 the governing body of any city, town, or village described in this section [may]  
47 **shall** pass a resolution containing the following information:

48           (1) A description of the boundaries of the proposed district and each  
49 subdistrict;

50           (2) The time and place of a hearing to be held to consider establishment  
51 of the proposed district;



- 52 (3) The time frame and manner for the filing of protests;
- 53 (4) The proposed sales tax rate to be voted upon within the subdistricts  
54 of the proposed district;
- 55 (5) The proposed uses for the revenue to be generated by the new sales  
56 tax; and
- 57 (6) Such other matters as the governing body may deem appropriate.

58 8. Prior to the governing body certifying the question of the district's  
59 creation and imposing a sales tax for approval by the qualified electors, a hearing  
60 shall be held as provided by this subsection. The governing body of the  
61 municipality approving a resolution as set forth in subsection 7 of this section  
62 shall:

63 (1) Publish notice of the hearing, which shall include the information  
64 contained in the resolution cited in subsection 7 of this section, on two separate  
65 occasions in at least one newspaper of general circulation in the county where the  
66 proposed district is located, with the first publication to occur not more than  
67 thirty days before the hearing, and the second publication to occur not more than  
68 fifteen days or less than ten days before the hearing;

69 (2) Hear all protests and receive evidence for or against the establishment  
70 of the proposed district; and

71 (3) Consider all protests, which determinations shall be final.

72 The costs of printing and publication of the notice shall be paid by the petitioners.  
73 If the district is organized pursuant to sections 67.2500 to 67.2530, the  
74 petitioners may be reimbursed for such costs out of the revenues received by the  
75 district.

76 9. Following the hearing, the governing body of any city, town, or village  
77 within which the proposed district will be located may order an election on the  
78 questions of the district creation and sales tax funding for voter approval and  
79 certify the questions to the municipal clerk. The election order shall include the  
80 date on which the ballots will be mailed to qualified electors, which shall be not  
81 sooner than the eighth Tuesday from the issuance of the order. The election  
82 regarding the incorporation of the district and the imposing of the sales tax shall  
83 follow the procedure set forth in section 67.2520, and shall be held pursuant to  
84 the order and certification by the governing body. Only those subdistricts  
85 approving the question of creating the district and imposing the sales tax shall  
86 become part of the district.

87 10. If the results of the election conducted in accordance with section  
88 67.2520 show that a majority of the votes cast were in favor of organizing the  
89 district and imposing the sales tax, the governing body may establish the

90 proposed district in those subdistricts approving the question of creating the  
91 district and imposing the sales tax by adopting an ordinance to that effect. The  
92 ordinance establishing the district shall contain the following:

- 93 (1) The description of the boundaries of the district and each subdistrict;
- 94 (2) A statement that a theater, cultural arts, and entertainment district  
95 has been established;
- 96 (3) A declaration that the district is a political subdivision of the state;
- 97 (4) The name of the district;
- 98 (5) The date on which the sales tax election in the subdistricts was held,  
99 and the result of the election;
- 100 (6) The uses for any revenue generated by a sales tax imposed pursuant  
101 to this section;
- 102 (7) A certification to the newly created district of the election results,  
103 including the election concerning the sales tax; and
- 104 (8) Such other matters as the governing body deems appropriate.

105 11. Any subdistrict that does not approve the creation of the district and  
106 imposing the sales tax shall not be a part of the district and the sales tax shall  
107 not be imposed until after the district board of directors has submitted another  
108 proposal for the inclusion of the area into the district and such proposal and the  
109 sales tax proposal are approved by a majority of the qualified voters in the  
110 subdistrict voting thereon. Such subsequent elections shall be conducted in  
111 accordance with section 67.2520; provided, however, that the district board of  
112 directors may place the question of the inclusion of a subdistrict within a district  
113 and the question of imposing a sales tax before the voters of a proposed  
114 subdistrict, and the municipal clerk, or circuit clerk if the district is formed by  
115 the circuit court, shall conduct the election. In subsequent elections, the election  
116 judges shall certify the election results to the district board of directors.

67.2510. As a complete alternative to the procedure establishing a district  
2 set forth in section 67.2505, **a theater, cultural arts, and entertainment**  
3 **district may be established in the manner provided in section 67.2515**  
4 **by a circuit court with jurisdiction over any county, city, town, or village**  
5 **that has adopted transect-based zoning under chapter 89, RSMo, any**  
6 **county described in this section, or any city, town, or village that is within**  
7 **[a first class county with a charter form of government with a population over two**  
8 **hundred fifty thousand that adjoins a first class county with a charter form of**  
9 **government with a population over nine hundred thousand, or that is within]**  
10 **such counties:**

- 11 (1) Any county with a charter form of government and with more than

12 two hundred fifty thousand but less than three hundred fifty thousand  
13 inhabitants[, may establish a theater, cultural arts, and entertainment district  
14 in the manner provided in section 67.2515];

15 **(2) Any county of the first classification with more than**  
16 **ninety-three thousand eight hundred but fewer than ninety-three**  
17 **thousand nine hundred inhabitants;**

18 **(3) Any county of the first classification with more than one**  
19 **hundred eighty-four thousand but fewer than one hundred eighty-eight**  
20 **thousand inhabitants;**

21 **(4) Any county with a charter form of government and with more**  
22 **than six hundred thousand but fewer than seven hundred thousand**  
23 **inhabitants;**

24 **(5) Any county of the first classification with more than one**  
25 **hundred thirty-five thousand four hundred but fewer than one hundred**  
26 **thirty-five thousand five hundred inhabitants;**

27 **(6) Any county of the first classification with more than one**  
28 **hundred four thousand six hundred but fewer than one hundred four**  
29 **thousand seven hundred inhabitants.**

89.010. 1. The provisions of sections 89.010 to 89.140 shall apply to all  
2 cities, towns and villages in this state.

3 **2. (1) As used in this subsection, "transect-based zoning" means**  
4 **a zoning classification system that prescriptively arranges uses,**  
5 **elements, and environments according to a geographic cross-section**  
6 **that range across a continuum from rural to urban, with the range of**  
7 **environments providing the basis for organizing the components of the**  
8 **constructed world, including buildings, lots, land use, street, and all**  
9 **other physical elements of the human habitat, with the objective of**  
10 **creating sustainable communities and emphasizing bicycle lanes, street**  
11 **connectivity, and sidewalks, and permitting high-density and mixed use**  
12 **development in urban areas.**

13 **(2) In the event that any city, town, or village adopts a zoning or**  
14 **subdivision ordinance based on transect-based zoning, and such**  
15 **transect-based zoning provisions conflict with the zoning provisions**  
16 **adopted by code or ordinance of another political subdivision with**  
17 **jurisdiction in such city, town, or village, the transect-based zoning**  
18 **provisions governing street configuration requirements, including**  
19 **number and locations of parking spaces, street, drive lane, and cul-de-**  
20 **sac lengths and widths, turning radii, and improvements within the**

21 **right-of-way, shall prevail over any other conflicting or more restrictive**  
22 **zoning provisions adopted by code or ordinance of the other political**  
23 **subdivision.**

89.400. 1. When the planning commission of any municipality adopts a  
2 city plan which includes at least a major street plan or progresses in its city  
3 planning to the making and adoption of a major street plan, and files a certified  
4 copy of the major street plan in the office of the county recorder of the county in  
5 which the municipality is located, no plat of a subdivision of land lying within the  
6 municipality shall be filed or recorded until it has been submitted to and a report  
7 and recommendation thereon made by the commission to the city council and the  
8 council has approved the plat as provided by law.

9 **2. (1) As used in this subsection, "transect-based zoning" means**  
10 **a zoning classification system that prescriptively arranges uses,**  
11 **elements, and environments according to a geographic cross-section**  
12 **that range across a continuum from rural to urban, with the range of**  
13 **environments providing the basis for organizing the components of the**  
14 **constructed world, including buildings, lots, land use, street, and all**  
15 **other physical elements of the human habitat, with the objective of**  
16 **creating sustainable communities and emphasizing bicycle lanes, street**  
17 **connectivity, and sidewalks, and permitting high-density and mixed use**  
18 **development in urban areas.**

19 **(2) In the event that any city, town, or village adopts a zoning or**  
20 **subdivision ordinance based on transect-based zoning, and such**  
21 **transect-based zoning provisions conflict with the zoning provisions**  
22 **adopted by code or ordinance of another political subdivision with**  
23 **jurisdiction in such city, town, or village, the transect-based zoning**  
24 **provisions governing street configuration requirements, including**  
25 **number and locations of parking spaces, street, drive lane, and cul-de-**  
26 **sac lengths and widths, turning radii, and improvements within the**  
27 **right-of-way, shall prevail over any other conflicting or more restrictive**  
28 **zoning provisions adopted by code or ordinance of the other political**  
29 **subdivision.**

94.837. 1. The governing body of any city of the fourth classification with  
2 more than two thousand five hundred but fewer than two thousand six hundred  
3 inhabitants and located in any county of the third classification without a  
4 township form of government and with more than ten thousand four hundred but  
5 fewer than ten thousand five hundred inhabitants, the governing body of any  
6 special charter city [with more than nine hundred fifty but fewer than one

7 thousand fifty inhabitants], and the governing body of any city of the fourth  
 8 classification with more than one thousand two hundred but fewer than one  
 9 thousand three hundred inhabitants and located in any county of the third  
 10 classification without a township form of government and with more than four  
 11 thousand three hundred but fewer than four thousand four hundred inhabitants  
 12 may impose a tax on the charges for all sleeping rooms paid by the transient  
 13 guests of hotels or motels situated in the city or a portion thereof, which shall not  
 14 be more than five percent per occupied room per night, except that such tax shall  
 15 not become effective unless the governing body of the city submits to the voters  
 16 of the city at a state general or primary election a proposal to authorize the  
 17 governing body of the city to impose a tax under this section. The tax authorized  
 18 in this section shall be in addition to the charge for the sleeping room and all  
 19 other taxes imposed by law, and the proceeds of such tax shall be used by the city  
 20 solely for the promotion of tourism. Such tax shall be stated separately from all  
 21 other charges and taxes.

22 2. The ballot of submission for the tax authorized in this section shall be  
 23 in substantially the following form:

24 Shall ..... (insert the name of the city) impose a tax on  
 25 the charges for all sleeping rooms paid by the transient guests of hotels and  
 26 motels situated in ..... (name of city) at a rate of .....  
 27 (insert rate of percent) percent for the sole purpose of promoting tourism?

28  YES  NO

29 If a majority of the votes cast on the question by the qualified voters voting  
 30 thereon are in favor of the question, then the tax shall become effective on the  
 31 first day of the second calendar quarter following the calendar quarter in which  
 32 the election was held. If a majority of the votes cast on the question by the  
 33 qualified voters voting thereon are opposed to the question, then the tax  
 34 authorized by this section shall not become effective unless and until the question  
 35 is resubmitted under this section to the qualified voters of the city and such  
 36 question is approved by a majority of the qualified voters of the city voting on the  
 37 question.

38 3. As used in this section, "transient guests" means a person or persons  
 39 who occupy a room or rooms in a hotel or motel for thirty-one days or less during  
 40 any calendar quarter.

[67.1000. The governing body of any county or of any city  
 2 which is the county seat of any county or which now or hereafter  
 3 has a population of more than three thousand five hundred

4 inhabitants and which has heretofore been authorized by the  
5 general assembly, or of any city which has a population of at least  
6 seventeen thousand but not more than forty-five thousand  
7 inhabitants located in a county of the first classification with a  
8 charter form of government with a population of at least two  
9 hundred thousand inhabitants but not more than three hundred  
10 thousand inhabitants may impose a tax on the charges for all  
11 sleeping rooms paid by the transient guests of hotels or motels  
12 situated in the city or county, which shall be not more than five  
13 percent per occupied room per night, except that such tax shall not  
14 become effective unless the governing body of the city or county  
15 submits to the voters of the city or county at an election permitted  
16 pursuant to section 115.123, RSMo, a proposal to authorize the  
17 governing body of the city or county to impose a tax pursuant to  
18 the provisions of this section and section 67.1002. The tax  
19 authorized by this section and section 67.1002 shall be in addition  
20 to the charge for the sleeping room and shall be in addition to any  
21 and all taxes imposed by law and the proceeds of such tax shall be  
22 used by the city or county solely for funding a convention and  
23 visitors bureau which shall be a general not-for-profit organization  
24 with whom the city or county has contracted, and which is  
25 established for the purpose of promoting the city or county as a  
26 convention, visitor and tourist center. Such tax shall be stated  
27 separately from all other charges and taxes.]

[67.2505. 1. A district may be created to fund, promote,  
2 and provide educational, civic, musical, theatrical, cultural,  
3 concerts, lecture series, and related or similar entertainment  
4 events or activities, and to fund, promote, plan, design, construct,  
5 improve, maintain, and operate public improvements,  
6 transportation projects, and related facilities in the district.

7 2. A district is a political subdivision of the state.

8 3. The name of a district shall consist of a name chosen by  
9 the original petitioners, preceding the words "theater, cultural arts,  
10 and entertainment district".

11 4. The district shall include a minimum of fifty contiguous  
12 acres.

13 5. Subdistricts shall be formed for the purpose of voting  
14 upon proposals for the creation of the district or subsequent

15 proposed subdistrict, voting upon the question of imposing a  
16 proposed sales tax, and for representation on the board of directors,  
17 and for no other purpose.

18 6. Whenever the creation of a district is desired, one or  
19 more registered voters from each subdistrict of the proposed  
20 district, or one or more property owners who collectively own one  
21 or more parcels of real estate comprising at least a majority of the  
22 land situated in the proposed subdistricts within the proposed  
23 district, may file a petition requesting the creation of a district  
24 with the governing body of the city, town, or village within which  
25 the proposed district is to be established. The petition shall  
26 contain the following information:

27 (1) The name, address, and phone number of each petitioner  
28 and the location of the real property owned by the petitioner;

29 (2) The name of the proposed district;

30 (3) A legal description of the proposed district, including a  
31 map illustrating the district boundaries, which shall be contiguous,  
32 and the division of the district into at least five, but not more than  
33 fifteen, subdistricts that shall contain, or are projected to contain  
34 upon full development of the subdistricts, approximately equal  
35 populations;

36 (4) A statement indicating the number of directors to serve  
37 on the board, which shall be not less than five or more than fifteen;

38 (5) A request that the district be established;

39 (6) A general description of the activities that are planned  
40 for the district;

41 (7) A proposal for a sales tax to fund the district initially,  
42 pursuant to the authority granted in sections 67.2500 to 67.2530,  
43 together with a request that the imposition of the sales tax be  
44 submitted to the qualified voters within the district;

45 (8) A statement that the proposed district shall not be an  
46 undue burden on any owner of property within the district and is  
47 not unjust or unreasonable;

48 (9) A request that the question of the establishment of the  
49 district be submitted to the qualified voters of the district;

50 (10) A signed statement that the petitioners are authorized  
51 to submit the petition to the governing body; and

52 (11) Any other items the petitioners deem appropriate.

53                   7. Upon the filing of a petition pursuant to this section, the  
54 governing body of any city, town, or village described in this section  
55 may pass a resolution containing the following information:

56                   (1) A description of the boundaries of the proposed district  
57 and each subdistrict;

58                   (2) The time and place of a hearing to be held to consider  
59 establishment of the proposed district;

60                   (3) The time frame and manner for the filing of protests;

61                   (4) The proposed sales tax rate to be voted upon within the  
62 subdistricts of the proposed district;

63                   (5) The proposed uses for the revenue to be generated by  
64 the new sales tax; and

65                   (6) Such other matters as the governing body may deem  
66 appropriate.

67                   8. Prior to the governing body certifying the question of the  
68 district's creation and imposing a sales tax for approval by the  
69 qualified electors, a hearing shall be held as provided by this  
70 subsection. The governing body of the municipality approving a  
71 resolution as set forth in section 67.2520 shall:

72                   (1) Publish notice of the hearing, which shall include the  
73 information contained in the resolution cited in section 67.2520, on  
74 two separate occasions in at least one newspaper of general  
75 circulation in the county where the proposed district is located,  
76 with the first publication to occur not more than thirty days before  
77 the hearing, and the second publication to occur not more than  
78 fifteen days or less than ten days before the hearing;

79                   (2) Hear all protests and receive evidence for or against the  
80 establishment of the proposed district; and

81                   (3) Consider all protests, which determinations shall be  
82 final.

83 The costs of printing and publication of the notice shall be paid by  
84 the petitioners. If the district is organized pursuant to sections  
85 67.2500 to 67.2530, the petitioners may be reimbursed for such  
86 costs out of the revenues received by the district.

87                   9. Following the hearing, the governing body of any city,  
88 town, or village within which the proposed district will be located  
89 may order an election on the questions of the district creation and  
90 sales tax funding for voter approval and certify the questions to the



91 municipal clerk. The election order shall include the date on which  
92 the ballots will be mailed to qualified electors, which shall be not  
93 sooner than the eighth Tuesday from the issuance of the  
94 order. The election regarding the incorporation of the district and  
95 the imposing of the sales tax shall follow the procedure set forth in  
96 section 67.2520, and shall be held pursuant to the order and  
97 certification by the governing body. Only those subdistricts  
98 approving the question of creating the district and imposing the  
99 sales tax shall become part of the district.

100 10. If the results of the election conducted in accordance  
101 with section 67.2520 show that a majority of the votes cast were in  
102 favor of organizing the district and imposing the sales tax, the  
103 governing body may establish the proposed district in those  
104 subdistricts approving the question of creating the district and  
105 imposing the sales tax by adopting an ordinance to that effect. The  
106 ordinance establishing the district shall contain the following:

107 (1) The description of the boundaries of the district and  
108 each subdistrict;

109 (2) A statement that a theater, cultural arts, and  
110 entertainment district has been established;

111 (3) A declaration that the district is a political subdivision  
112 of the state;

113 (4) The name of the district;

114 (5) The date on which the sales tax election in the  
115 subdistricts was held, and the result of the election;

116 (6) The uses for any revenue generated by a sales tax  
117 imposed pursuant to this section;

118 (7) A certification to the newly created district of the  
119 election results, including the election concerning the sales tax; and

120 (8) Such other matters as the governing body deems  
121 appropriate.

122 11. Any subdistrict that does not approve the creation of  
123 the district and imposing the sales tax shall not be a part of the  
124 district and the sales tax shall not be imposed until after the  
125 district board of directors has submitted another proposal for the  
126 inclusion of the area into the district and such proposal and the  
127 sales tax proposal are approved by a majority of the qualified  
128 voters in the subdistrict voting thereon. Such subsequent elections

129 shall be conducted in accordance with section 67.2520; provided,  
130 however, that the district board of directors may place the question  
131 of the inclusion of a subdistrict within a district and the question  
132 of imposing a sales tax before the voters of a proposed subdistrict,  
133 and the municipal clerk, or circuit clerk if the district is formed by  
134 the circuit court, shall conduct the election. In subsequent  
135 elections, the election judges shall certify the election results to the  
136 district board of directors.]

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