

SECOND REGULAR SESSION

HOUSE BILL NO. 2046

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE NICHOLS.

5688H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 99.825, RSMo, and to enact in lieu thereof one new section relating to tax increment financing.

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

Section A. Section 99.825, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 99.825, to read as follows:

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 approving a redevelopment plan or redevelopment project, or designating a redevelopment area,
19 changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas
20 without a further hearing, if such changes do not enlarge the exterior boundaries of the
21 redevelopment area or areas, and do not substantially affect the general land uses established in
22 the redevelopment plan or substantially change the nature of the redevelopment projects,
23 provided that notice of such changes shall be given by mail to each affected taxing district and
24 by publication in a newspaper of general circulation in the area of the proposed redevelopment
25 not less than ten days prior to the adoption of the changes by ordinance. After the adoption of
26 an ordinance approving a redevelopment plan or redevelopment project, or designating a
27 redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the
28 general land uses established pursuant to the redevelopment plan or changing the nature of the
29 redevelopment project without complying with the procedures provided in this section pertaining
30 to the initial approval of a redevelopment plan or redevelopment project and designation of a
31 redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or
32 redevelopment plan may be held simultaneously.

33 2. If, after concluding the hearing required under this section, the commission makes a
34 recommendation under section 99.820 in opposition to a proposed redevelopment plan,
35 redevelopment project, or designation of a redevelopment area, or any amendments thereto, a
36 municipality desiring to approve such project, plan, designation, or amendments shall do so only
37 upon a two-thirds majority vote of the governing body of such municipality. For plans, projects,
38 designations, or amendments approved by a municipality over the recommendation in opposition
39 by the commission formed under ~~subsection 3 of~~ section 99.820, the economic activity taxes
40 and payments in lieu of taxes generated by such plan, project, designation, or amendment shall
41 be restricted to paying only those redevelopment project costs contained in subparagraphs b. and
42 c. of paragraph (c) of subdivision (15) of section 99.805 per redevelopment project.

43 3. Tax incremental financing projects within an economic development area shall apply
44 to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers,
45 traffic control systems and devices, water distribution and supply systems, curbing, sidewalks
46 and any other similar public improvements, but in no case shall it include buildings.

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