

HOUSE AMENDMENT NO. ____
TO
HOUSE AMENDMENT NO. ____

Offered By

AMEND House Amendment No. ____ to Senate Substitute for Senate Committee Substitute for Senate Bill No. 570, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

""29.207. Notwithstanding any provision of law to the contrary, the state auditor shall have the power to audit any redevelopment project created under the real property tax increment allocation redevelopment act, sections 99.800 to 99.866, within the state in the same manner as the auditor may audit any agency of the state.

67.1401. 1. Sections 67.1401 to 67.1571 shall be known and may be cited as the"; and

Further amend said amendment, Page 6, Line 34, by inserting after all of said line the following:

"Further amend said bill, Page 2, Section 99.805, Line 40, by deleting all of said line and inserting in lieu thereof the following:

"rooms paid by transient guests of hotels and motels, local sales taxes whose revenue is dedicated to an education program, local sales taxes whose revenue is dedicated to a fire protection district, licenses, fees or special"; and

Further amend said bill and section, Page 4, Line 96, by deleting all of said line and inserting in lieu thereof the following:

"section 99.850. For purposes of sections 99.800 to 99.865, "payment in lieu of taxes" shall not include revenue from any tax levied on real property whose revenue is dedicated to an education program or a fire protection district; "; and

Further amend said bill, Pages 8, Section 99.810, Line 65, by inserting after all of said section and line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the

Action Taken _____ Date _____

1 redevelopment project shall include only those parcels of real property and improvements thereon
2 directly and substantially benefitted by the proposed redevelopment project improvements;

3 (2) Make and enter into all contracts necessary or incidental to the implementation and
4 furtherance of its redevelopment plan or project;

5 (3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by
6 purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey,
7 lease, mortgage, or dispose of land and other property, real or personal, or rights or interests therein,
8 and grant or acquire licenses, easements and options with respect thereto, all in the manner and at
9 such price the municipality or the commission determines is reasonably necessary to achieve the
10 objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other
11 property, acquired by the municipality, or agreement relating to the development of the property
12 shall be made except upon the adoption of an ordinance by the governing body of the municipality.
13 Each municipality or its commission shall establish written procedures relating to bids and proposals
14 for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or
15 other disposition of land or agreement relating to the development of property shall be made without
16 making public disclosure of the terms of the disposition and all bids and proposals made in response
17 to the municipality's request. Such procedures for obtaining such bids and proposals shall provide
18 reasonable opportunity for any person to submit alternative proposals or bids;

19 (4) Within a redevelopment area, clear any area by demolition or removal of existing
20 buildings and structures;

21 (5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or
22 building;

23 (6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements
24 essential to the preparation of the redevelopment area for use in accordance with a redevelopment
25 plan;

26 (7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for
27 the use of any building or property owned or leased by it or any part thereof, or facility therein;

28 (8) Accept grants, guarantees, and donations of property, labor, or other things of value from
29 a public or private source for use within a redevelopment area;

30 (9) Acquire and construct public facilities within a redevelopment area;

31 (10) Incur redevelopment costs and issue obligations;

32 (11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

33 (12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

34 (a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the
35 redevelopment area which impose ad valorem taxes on a basis that is proportional to the current
36 collections of revenue which each taxing district receives from real property in the redevelopment
37 area;

38 (b) Surplus economic activity taxes shall be distributed to taxing districts in the
39 redevelopment area which impose economic activity taxes, on a basis that is proportional to the
40 amount of such economic activity taxes the taxing district would have received from the
41 redevelopment area had tax increment financing not been adopted;

42 (c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes,
43 deposited in the special allocation fund, shall be distributed on a basis that is proportional to the
44 total receipt of such other revenues in such account in the year prior to disbursement;

45 (13) If any member of the governing body of the municipality, a member of a commission
46 established pursuant to subsection 2 or 3 of this section, or an employee or consultant of the
47 municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment
48 project for a redevelopment area or proposed redevelopment area, owns or controls an interest,
49 direct or indirect, in any property included in any redevelopment area, or proposed redevelopment

area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to

1 this subdivision. If the members representing school districts and other taxing districts are
 2 appointed for a term coinciding with the length of time a redevelopment project, plan or area is
 3 approved, such term shall terminate upon final approval of the project, plan or designation of the
 4 area by the governing body of the municipality. Thereafter the commission shall consist of the six
 5 members appointed by the municipality, except that members representing school boards and other
 6 taxing districts shall be appointed as provided in this section prior to any amendments to any
 7 redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school
 8 district or other taxing jurisdiction fails to appoint members of the commission within thirty days of
 9 receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of
 10 a redevelopment area, the remaining members may proceed to exercise the power of the
 11 commission. Of the members first appointed by the municipality, two shall be designated to serve
 12 for terms of two years, two shall be designated to serve for a term of three years and two shall be
 13 designated to serve for a term of four years from the date of such initial appointments. Thereafter,
 14 the members appointed by the municipality shall serve for a term of four years, except that all
 15 vacancies shall be filled for unexpired terms in the same manner as were the original appointments.
 16 Members appointed by the county executive or presiding commissioner prior to August 28, 2008,
 17 shall continue their service on the commission established in subsection 3 of this section without
 18 further appointment unless the county executive or presiding commissioner appoints a new member
 19 or members.

20 3. Beginning August 28, 2008:

21 (1) In lieu of a commission created under subsection 2 of this section, any city, town, or
 22 village in a county with a charter form of government and with more than one million inhabitants, in
 23 a county with a charter form of government and with more than two hundred fifty thousand but
 24 fewer than three hundred fifty thousand inhabitants, or in a county of the first classification with
 25 more than one hundred eighty-five thousand but fewer than two hundred thousand inhabitants shall,
 26 prior to adoption of an ordinance approving the designation of a redevelopment area or approving a
 27 redevelopment plan or redevelopment project, create a commission consisting of twelve persons to
 28 be appointed as follows:

29 (a) Six members appointed either by the county executive or presiding commissioner;
 30 notwithstanding any provision of law to the contrary, no approval by the county's governing body
 31 shall be required;

32 (b) Three members appointed by the cities, towns, or villages in the county which have tax
 33 increment financing districts in a manner in which the chief elected officials of such cities, towns, or
 34 villages agree;

35 (c) Two members appointed by the school boards whose districts are included in the county
 36 in a manner in which the school boards agree; and

37 (d) One member to represent all other districts levying ad valorem taxes in the proposed
 38 redevelopment area in a manner in which all such districts agree.
 39

40 No city, town, or village subject to this subsection shall create or maintain a commission under
 41 subsection 2 of this section, except as necessary to complete a public hearing for which notice under
 42 section 99.830 has been provided prior to August 28, 2008, and to vote or make recommendations
 43 relating to redevelopment plans, redevelopment projects, or designation of redevelopment areas, or
 44 amendments thereto that were the subject of such public hearing;

45 (2) Members appointed to the commission created under this subsection, except those six
 46 members appointed by either the county executive or presiding commissioner, shall serve on the
 47 commission for a term to coincide with the length of time a redevelopment project, redevelopment
 48 plan, or designation of a redevelopment area is considered for approval by the commission. The six
 49 members appointed by either the county executive or the presiding commissioner shall serve on all

1 such commissions until replaced. The city, town, or village that creates a commission under this
 2 subsection shall send notice thereof by certified mail to the county executive or presiding
 3 commissioner, to the school districts whose boundaries include any portion of the proposed
 4 redevelopment area, and to the other taxing districts whose boundaries include any portion of the
 5 proposed redevelopment area. The city, town, or village that creates the commission shall also be
 6 solely responsible for notifying all other cities, towns, and villages in the county that have tax
 7 increment financing districts and shall exercise all administrative functions of the commission. The
 8 school districts receiving notice from the city, town, or village shall be solely responsible for
 9 notifying the other school districts within the county of the formation of the commission. If the
 10 county, school board, or other taxing district fails to appoint members to the commission within
 11 thirty days after the city, town, or village sends the written notice, as provided herein, that it has
 12 convened such a commission or within thirty days of the expiration of any such member's term, the
 13 remaining duly appointed members of the commission may exercise the full powers of the
 14 commission.

15 4. (1) Any commission created under this section, subject to approval of the governing
 16 body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except
 17 final approval of plans, projects and designation of redevelopment areas. The commission shall
 18 hold public hearings and provide notice pursuant to sections 99.825 and 99.830.

19 (2) Any commission created under subsection 2 of this section shall vote on all proposed
 20 redevelopment plans, redevelopment projects and designations of redevelopment areas, and
 21 amendments thereto, within thirty days following completion of the hearing on any such plan,
 22 project or designation and shall make recommendations to the governing body within ninety days of
 23 the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment
 24 plans and redevelopment projects and the designation of redevelopment areas. The requirements of
 25 subsection 2 of this section and this subsection shall not apply to redevelopment projects upon
 26 which the required hearings have been duly held prior to August 31, 1991.

27 (3) Any commission created under subsection 3 of this section shall, within fifteen days of
 28 the receipt of a redevelopment plan meeting the minimum requirements of section 99.810, as
 29 determined by counsel to the city, town, or village creating the commission and a request by the
 30 applicable city, town, or village for a public hearing, fix a time and place for the public hearing
 31 referred to in section 99.825. The public hearing shall be held no later than seventy-five days from
 32 the commission's receipt of such redevelopment plan and request for public hearing. The
 33 commission shall vote and make recommendations to the governing body of the city, town, or
 34 village requesting the public hearing on all proposed redevelopment plans, redevelopment projects,
 35 and designations of redevelopment areas, and amendments thereto within thirty days following the
 36 completion of the public hearing.

37 (4) No redevelopment project shall be implemented without its redevelopment plan
 38 receiving a recommendation of approval from the corresponding commission created under
 39 subsection 2 or 3 of this section. A recommendation of approval under subdivision (2) or (3) of this
 40 subsection shall only be deemed to occur if a majority of the commissioners voting on such plan,
 41 project, designation, or amendment thereto vote for approval. A tied vote shall be considered a
 42 recommendation in opposition. If the commission fails to vote within thirty days following the
 43 completion of the public hearing referred to in section 99.825 concerning the proposed
 44 redevelopment plan, redevelopment project, or designation of redevelopment area, or amendments
 45 thereto, such plan, project, designation, or amendment thereto shall be deemed rejected by the
 46 commission.

47 5. It shall be the policy of the state that each redevelopment plan or project of a municipality
 48 be carried out with full transparency to the public. The records of the tax increment financing
 49 commission including, but not limited to, commission votes and actions, meeting minutes,

1 summaries of witness testimony, data, and reports submitted to the commission shall be retained by
2 the governing body of the municipality that created the commission and shall be made available to
3 the public in accordance with chapter 610."; and
4

5 Further amend said bill and page, Section 99.843, Line 7 by inserting after all of said section and
6 line the following:

7 "99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the
8 event a municipality has undertaken acts establishing a redevelopment plan and redevelopment
9 project and has designated a redevelopment area after the passage and approval of sections 99.800
10 to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of
11 sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance
12 providing that after the total equalized assessed valuation of the taxable real property in a
13 redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable
14 real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if
15 any, arising from the levies upon taxable real property in such redevelopment project by taxing
16 districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year
17 after the effective date of the ordinance until redevelopment costs have been paid shall be divided as
18 follows:

19 (1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or
20 parcel of real property which is attributable to the initial equalized assessed value of each such
21 taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project
22 shall be allocated to and, when collected, shall be paid by the county collector to the respective
23 affected taxing districts in the manner required by law in the absence of the adoption of tax
24 increment allocation financing;

25 (2) (a) Payments in lieu of taxes attributable to the increase in the current equalized
26 assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for
27 the redevelopment project and any applicable penalty and interest over and above the initial
28 equalized assessed value of each such unit of property in the area selected for the redevelopment
29 project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall
30 deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the
31 municipality for the purpose of paying redevelopment costs and obligations incurred in the payment
32 thereof. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in
33 such taxing district's levy rate for ad valorem tax on real property, any additional revenues generated
34 within an existing redevelopment project area that are directly attributable to the newly voter-
35 approved incremental increase in such taxing district's levy rate shall not be considered payments in
36 lieu of taxes subject to deposit into a special allocation fund without the consent of such taxing
37 district. Revenues will be considered directly attributable to the newly voter-approved incremental
38 increase to the extent that they are generated from the difference between the taxing district's actual
39 levy rate currently imposed and the maximum voter-approved levy rate at the time that the
40 redevelopment project was adopted. Payments in lieu of taxes which are due and owing shall
41 constitute a lien against the real estate of the redevelopment project from which they are derived and
42 shall be collected in the same manner as the real property tax, including the assessment of penalties
43 and interest where applicable. The municipality may, in the ordinance, pledge the funds in the
44 special allocation fund for the payment of such costs and obligations and provide for the collection
45 of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a special
46 assessment lien as provided in section 88.861. No part of the current equalized assessed valuation
47 of each lot, block, tract, or parcel of property in the area selected for the redevelopment project
48 attributable to any increase above the total initial equalized assessed value of such properties shall
49 be used in calculating the general state school aid formula provided for in section 163.031 until such

1 time as all redevelopment costs have been paid as provided for in this section and section 99.850.

2 (b) Notwithstanding any provisions of this section to the contrary, for purposes of
 3 determining the limitation on indebtedness of local government pursuant to Article VI, Section
 4 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area
 5 selected for redevelopment attributable to the increase above the total initial equalized assessed
 6 valuation shall be included in the value of taxable tangible property as shown on the last completed
 7 assessment for state or county purposes.

8 (c) The county assessor shall include the current assessed value of all property within the
 9 taxing district in the aggregate valuation of assessed property entered upon the assessor's book and
 10 verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt
 11 limitation on local government pursuant to Article VI, Section 26(b) of the Missouri Constitution;

12 (3) For purposes of this section, "levies upon taxable real property in such redevelopment
 13 project by taxing districts" shall not include the blind pension fund tax levied under the authority of
 14 Article III, Section 38(b) of the Missouri Constitution, or the merchants' and manufacturers'
 15 inventory replacement tax levied under the authority of subsection 2 of Section 6 of Article X of the
 16 Missouri Constitution, except in redevelopment project areas in which tax increment financing has
 17 been adopted by ordinance pursuant to a plan approved by vote of the governing body of the
 18 municipality taken after August 13, 1982, and before January 1, 1998.

19 2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of
 20 this section, for redevelopment plans and projects adopted or redevelopment projects approved by
 21 ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional
 22 revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts,
 23 which are generated by economic activities within the area of the redevelopment project over the
 24 amount of such taxes generated by economic activities within the area of the redevelopment project
 25 in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax
 26 increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping
 27 rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500,
 28 licenses, fees or special assessments other than payments in lieu of taxes and any penalty and
 29 interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the
 30 purpose of public transportation, shall be allocated to, and paid by the local political subdivision
 31 collecting officer to the treasurer or other designated financial officer of the municipality, who shall
 32 deposit such funds in a separate segregated account within the special allocation fund. Any
 33 provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a
 34 municipality and any other political subdivision which provides for an appropriation of other
 35 municipal revenues to the special allocation fund shall be and remain enforceable.

36 3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of
 37 this section, for redevelopment plans and projects adopted or redevelopment projects approved by
 38 ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties
 39 and interest which are imposed by the municipality or other taxing districts, and which are generated
 40 by economic activities within the area of the redevelopment project over the amount of such taxes
 41 generated by economic activities within the area of the redevelopment project in the calendar year
 42 prior to the adoption of the redevelopment project by ordinance, while tax increment financing
 43 remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for
 44 sleeping rooms paid by transient guests of hotels and motels, local sales taxes whose revenue is
 45 dedicated to an education program, local sales taxes whose revenue is dedicated to a fire protection
 46 district, taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation
 47 pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712 for
 48 the purpose of operating and maintaining a metropolitan park and recreation district, licenses, fees
 49 or special assessments other than payments in lieu of taxes and penalties and interest thereon, any

1 sales tax imposed by a county with a charter form of government and with more than six hundred
 2 thousand but fewer than seven hundred thousand inhabitants, for the purpose of sports stadium
 3 improvement or levied by such county under section 238.410 for the purpose of the county transit
 4 authority operating transportation facilities, or for redevelopment plans and projects adopted or
 5 redevelopment projects approved by ordinance after August 28, 2013, taxes imposed on sales under
 6 and pursuant to section 67.700 or 650.399 for the purpose of emergency communication systems,
 7 shall be allocated to, and paid by the local political subdivision collecting officer to the treasurer or
 8 other designated financial officer of the municipality, who shall deposit such funds in a separate
 9 segregated account within the special allocation fund. Beginning August 28, 2014, if the voters in a
 10 taxing district vote to approve an increase in such taxing district's sales tax or use tax, other than the
 11 renewal of an expiring sales or use tax, any additional revenues generated within an existing
 12 redevelopment project area that are directly attributable to the newly voter-approved incremental
 13 increase in such taxing district's levy rate shall not be considered economic activity taxes subject to
 14 deposit into a special allocation fund without the consent of such taxing district.

15 4. Beginning January 1, 1998, for redevelopment plans and projects adopted or
 16 redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of
 17 this section, in addition to the payments in lieu of taxes and economic activity taxes described in
 18 subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in
 19 subsection 8 of this section, estimated for the businesses within the project area and identified by the
 20 municipality in the application required by subsection 10 of this section, over and above the amount
 21 of such taxes reported by businesses within the project area as identified by the municipality in their
 22 application prior to the approval of the redevelopment project by ordinance, while tax increment
 23 financing remains in effect, may be available for appropriation by the general assembly as provided
 24 in subsection 10 of this section to the department of economic development supplemental tax
 25 increment financing fund, from the general revenue fund, for distribution to the treasurer or other
 26 designated financial officer of the municipality with approved plans or projects.

27 5. The treasurer or other designated financial officer of the municipality with approved
 28 plans or projects shall deposit such funds in a separate segregated account within the special
 29 allocation fund established ~~[pursuant to section 99.805]~~ under sections 99.800 to 99.865.

30 6. No transfer from the general revenue fund to the Missouri supplemental tax increment
 31 financing fund shall be made unless an appropriation is made from the general revenue fund for that
 32 purpose. No municipality shall commit any state revenues prior to an appropriation being made for
 33 that project. For all redevelopment plans or projects adopted or approved after December 23, 1997,
 34 appropriations from the new state revenues shall not be distributed from the Missouri supplemental
 35 tax increment financing fund into the special allocation fund unless the municipality's
 36 redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent
 37 of economic activity taxes generated by the project shall be used for eligible redevelopment project
 38 costs while tax increment financing remains in effect. This account shall be separate from the
 39 account into which payments in lieu of taxes are deposited, and separate from the account into
 40 which economic activity taxes are deposited.

41 7. In order for the redevelopment plan or project to be eligible to receive the revenue
 42 described in subsection 4 of this section, the municipality shall comply with the requirements of
 43 subsection 10 of this section prior to the time the project or plan is adopted or approved by
 44 ordinance. The director of the department of economic development and the commissioner of the
 45 office of administration may waive the requirement that the municipality's application be submitted
 46 prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's
 47 approval by ordinance.

48 8. For purposes of this section, "new state revenues" means:

49 (1) The incremental increase in the general revenue portion of state sales tax revenues

received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to the following:

(1) Blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(a) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(b) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand;

(2) Blighted areas consisting solely of the site of a former automobile manufacturing plant located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing plant" means a redevelopment area containing a minimum of one hundred acres, and such redevelopment area was previously used primarily for the manufacture of automobiles but ceased such manufacturing after the 2007 calendar year; or

(3) Blighted areas consisting solely of the site of a former insurance company national service center containing a minimum of one hundred acres located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsection 4 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to

1 approval of the redevelopment project;

2 (c) The estimate of the incremental increase in the general revenue portion of state sales tax
3 revenue or the estimate for the state income tax withheld by the employer on behalf of new
4 employees expected to fill new jobs created within the redevelopment area after redevelopment;

5 (d) The official statement of any bond issue pursuant to this subsection after December 23,
6 1997;

7 (e) An affidavit that is signed by the developer or developers attesting that the provisions of
8 subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the
9 redevelopment area would not be reasonably anticipated to be developed without the appropriation
10 of the new state revenues;

11 (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact
12 on the state of Missouri;

13 (g) The statement of election between the use of the incremental increase of the general
14 revenue portion of the state sales tax revenues or the state income tax withheld by employers on
15 behalf of new employees who fill new jobs created in the redevelopment area;

16 (h) The name, street and mailing address, and phone number of the mayor or chief executive
17 officer of the municipality;

18 (i) The street address of the development site;

19 (j) The three-digit North American Industry Classification System number or numbers
20 characterizing the development project;

21 (k) The estimated development project costs;

22 (l) The anticipated sources of funds to pay such development project costs;

23 (m) Evidence of the commitments to finance such development project costs;

24 (n) The anticipated type and term of the sources of funds to pay such development project
25 costs;

26 (o) The anticipated type and terms of the obligations to be issued;

27 (p) The most recent equalized assessed valuation of the property within the development
28 project area;

29 (q) An estimate as to the equalized assessed valuation after the development project area is
30 developed in accordance with a development plan;

31 (r) The general land uses to apply in the development area;

32 (s) The total number of individuals employed in the development area, broken down by full-
33 time, part-time, and temporary positions;

34 (t) The total number of full-time equivalent positions in the development area;

35 (u) The current gross wages, state income tax withholdings, and federal income tax
36 withholdings for individuals employed in the development area;

37 (v) The total number of individuals employed in this state by the corporate parent of any
38 business benefitting from public expenditures in the development area, and all subsidiaries thereof,
39 as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and
40 temporary positions;

41 (w) The number of new jobs to be created by any business benefitting from public
42 expenditures in the development area, broken down by full-time, part-time, and temporary positions;

43 (x) The average hourly wage to be paid to all current and new employees at the project site,
44 broken down by full-time, part-time, and temporary positions;

45 (y) For project sites located in a metropolitan statistical area, as defined by the federal
46 Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in
47 this state for the industries involved at the project, as established by the United States Bureau of
48 Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund for redevelopment projects approved prior to August 28, 2018, exceed thirty-two million dollars; provided, however, that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially listed by name in the applicable appropriations bill after August 28, 2015, which involve:

(a) A former automobile manufacturing plant;

(b) The retention of a federal employer employing over two thousand geospatial intelligence jobs; or

(c) A health information technology employer employing over seven thousand employees in the state of Missouri and which is estimated to create in excess of fifteen thousand new jobs with an average annual wage of more than seventy-five thousand dollars.

At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in the aggregate. At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (b) of this subdivision exceed twelve million dollars in the aggregate. To the extent a redevelopment plan or project independently meets the eligibility criteria set forth in both paragraphs (a) and (b) of this subdivision, then at no such time shall the annual amount of new state revenues for disbursements from the Missouri supplemental tax increment financing fund for such eligible redevelopment plan or project exceed twelve million dollars in the aggregate;

(4) At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans or projects approved on or after August 28, 2018, and before August 28, 2028, be increased by or exceed ten million dollars. Any individual redevelopment plan or project approved prior to August 28, 2018, which is expanded with buildings of new construction shall not be increased by more than three million dollars annually in excess of the original previously approved maximum annual projected amount. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans or projects approved on or after August 28, 2028, exceed twenty million dollars; provided, however, that such ceilings shall not apply to redevelopment plans or projects exempted from such ceilings under subdivision (3) of this subsection. For all redevelopment plans or projects initially approved on or after August 28, 2018, at no time shall a single redevelopment plan or project within such redevelopment plan receive an appropriation under this section that exceeds three million dollars annually;

(5) Redevelopment plans and projects receiving new state revenues shall have a duration of up to fifteen years, unless prior approval for a longer term is given by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

11. In addition to the areas authorized in subsection 9 of this section, the funding authorized pursuant to subsection 4 of this section shall also be available in a federally approved levee district, where construction of a levee begins after December 23, 1997, and which is contained within a county of the first classification without a charter form of government with a population between fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a population in excess of four hundred thousand or more inhabitants.

12. There is hereby established within the state treasury a special fund to be known as the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of economic development. The department shall annually distribute from the Missouri supplemental tax increment financing fund the amount of the new state revenues as appropriated as provided in the provisions of subsection 4 of this section if and only if the conditions of subsection 10 of this section are met. The fund shall also consist of any gifts, contributions, grants or bequests received from federal, private or other sources. Moneys in the Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to state appropriations.

13. Redevelopment project costs may include, at the prerogative of the state, the portion of salaries and expenses of the department of economic development and the department of revenue reasonably allocable to each redevelopment project approved for disbursements from the Missouri supplemental tax increment financing fund for the ongoing administrative functions associated with such redevelopment project. Such amounts shall be recovered from new state revenues deposited

1 into the Missouri supplemental tax increment financing fund created under this section.

2 14. For redevelopment plans or projects approved by ordinance that result in net new jobs
3 from the relocation of a national headquarters from another state to the area of the redevelopment
4 project, the economic activity taxes and new state tax revenues shall not be based on a calculation of
5 the incremental increase in taxes as compared to the base year or prior calendar year for such
6 redevelopment project, rather the incremental increase shall be the amount of total taxes generated
7 from the net new jobs brought in by the national headquarters from another state. In no event shall
8 this subsection be construed to allow a redevelopment project to receive an appropriation in excess
9 of up to fifty percent of the new state revenues.

10 15. Notwithstanding any other provision of the law to the contrary, the adoption of any tax
11 increment financing authorized under sections 99.800 to 99.865 shall not supersede, alter, or reduce
12 in any way a property tax levied under section 205.971."; and" ; and

13
14 Further amend said bill by amending the title, enacting clause, and intersectional references
15 accordingly.

16
17 THIS AMENDMENT AMENDS 3497S05.12H