

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill Nos. 153 & 97, Page 3, Section 32.310, Line 49, by inserting after all of said section and
3 line the following:
4

5 "67.1401. 1. Sections 67.1401 to 67.1571 shall be known and may be cited as the
6 "Community Improvement District Act".

7 2. For the purposes of sections 67.1401 to 67.1571, the following words and terms mean:

8 (1) "Approval" or "approve", for purposes of elections pursuant to sections 67.1401 to
9 67.1571, a simple majority of those qualified voters voting in the election;

10 (2) "Assessed value", the assessed value of real property as reflected on the tax records of
11 the county clerk of the county in which the property is located, or the collector of revenue if the
12 property is located in a city not within a county, as of the last completed assessment;

13 (3) "Blighted area", ~~[an area which:~~

14 ~~—— (a) By reason of the predominance of defective or inadequate street layout, insanitary or~~
15 ~~unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or~~
16 ~~the existence of conditions which endanger life or property by fire and other causes, or any~~
17 ~~combination of such factors, retards the provision of housing accommodations or constitutes an~~
18 ~~economic or social liability or a menace to the public health, safety, morals or welfare in its present~~
19 ~~condition and use; or~~

20 ~~—— (b) Has been declared blighted or found to be a blighted area pursuant to Missouri law~~
21 ~~including, but not limited to, chapter 353, sections 99.800 to 99.865, or sections 99.300 to 99.715]~~
22 ~~the same meaning as defined pursuant to section 99.805;~~

23 (4) "Board", if the district is a political subdivision, the board of directors of the district, or
24 if the district is a not-for-profit corporation, the board of directors of such corporation;

25 (5) "Director of revenue", the director of the department of revenue of the state of Missouri;

26 (6) "District", a community improvement district, established pursuant to sections 67.1401
27 to 67.1571;

28 (7) "Election authority", the election authority having jurisdiction over the area in which the
29 boundaries of the district are located pursuant to chapter 115;

30 (8) "Municipal clerk", the clerk of the municipality;

31 (9) "Municipality", any city, village, incorporated town, or county of this state, or in any
32 unincorporated area that is located in any county with a charter form of government and with more
33 than one million inhabitants;

34 (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences
35 of indebtedness issued by a district to carry out any of its powers, duties or purposes or to refund
36 outstanding obligations;

Action Taken _____ Date _____

1 (11) "Owner", for real property, the individual or individuals or entity or entities who own a
 2 fee interest in real property that is located within the district or their legally authorized
 3 representative; for business organizations and other entities, the owner shall be deemed to be the
 4 individual which is legally authorized to represent the entity in regard to the district;

5 (12) "Per capita", one head count applied to each individual, entity or group of individuals
 6 or entities having fee ownership of real property within the district whether such individual, entity
 7 or group owns one or more parcels of real property in the district as joint tenants, tenants in
 8 common, tenants by the entirety, tenants in partnership, except that with respect to a condominium
 9 created under sections 448.1-101 to 448.4-120, "per capita" means one head count applied to the
 10 applicable unit owners' association and not to each unit owner;

11 (13) "Petition", a petition to establish a district as it may be amended in accordance with the
 12 requirements of section 67.1421;

13 (14) "Qualified voters",

14 (a) For purposes of elections for approval of real property taxes:

15 a. Registered voters; or

16 b. If no registered voters reside in the district, the owners of one or more parcels of real
 17 property which is to be subject to such real property taxes and is located within the district per the
 18 tax records for real property of the county clerk, or the collector of revenue if the district is located
 19 in a city not within a county, as of the thirtieth day prior to the date of the applicable election;

20 (b) For purposes of elections for approval of business license taxes or sales taxes:

21 a. Registered voters; or

22 b. If no registered voters reside in the district, the owners of one or more parcels of real
 23 property located within the district per the tax records for real property of the county clerk as of the
 24 thirtieth day before the date of the applicable election; and

25 (c) For purposes of the election of directors of the board, registered voters and owners of
 26 real property which is not exempt from assessment or levy of taxes by the district and which is
 27 located within the district per the tax records for real property of the county clerk, or the collector of
 28 revenue if the district is located in a city not within a county, of the thirtieth day prior to the date of
 29 the applicable election; and

30 (15) "Registered voters", persons who reside within the district and who are qualified and
 31 registered to vote pursuant to chapter 115, pursuant to the records of the election authority as of the
 32 thirtieth day prior to the date of the applicable election.

33 67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing
 34 body of the municipality in which the proposed district is located shall hold a public hearing in
 35 accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

36 2. A petition is proper if, based on the tax records of the county clerk, or the collector of
 37 revenue if the district is located in a city not within a county, as of the time of filing the petition with
 38 the municipal clerk, it meets the following requirements:

39 (1) It has been signed by property owners collectively owning more than fifty percent by
 40 assessed value of the real property within the boundaries of the proposed district;

41 (2) It has been signed by more than fifty percent per capita of all owners of real property
 42 within the boundaries of the proposed district; and

43 (3) It contains the following information:

44 (a) The legal description of the proposed district, including a map illustrating the district
 45 boundaries;

46 (b) The name of the proposed district;

47 (c) A notice that the signatures of the signers may not be withdrawn later than seven days
 48 after the petition is filed with the municipal clerk;

49 (d) A five-year plan stating a description of the purposes of the proposed district, the

1 services it will provide, ~~[the improvements]~~ each improvement it will make ~~[and]~~ from the list of
2 allowable improvements under section 67.1461, an estimate of the costs of these services and
3 improvements to be incurred, the anticipated sources of funds to pay the costs, and the anticipated
4 term of the sources of funds to pay the costs;

5 (e) A statement as to whether the district will be a political subdivision or a not-for-profit
6 corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

7 (f) If the district is to be a political subdivision, a statement as to whether the district will be
8 governed by a board elected by the district or whether the board will be appointed by the
9 municipality, and, if the board is to be elected by the district, the names and terms of the initial
10 board may be stated;

11 (g) If the district is to be a political subdivision, the number of directors to serve on the
12 board;

13 (h) The total assessed value of all real property within the proposed district;

14 (i) A statement as to whether the petitioners are seeking a determination that the proposed
15 district, or any legally described portion thereof, is a blighted area;

16 (j) The proposed length of time for the existence of the district, which in the case of districts
17 established after August 28,2021, shall not exceed twenty-seven years from the adoption of the
18 ordinance establishing the district unless the municipality extends the length of time under section
19 67.1481;

20 (k) The maximum rates of real property taxes, and, business license taxes in the county seat
21 of a county of the first classification without a charter form of government containing a population
22 of at least two hundred thousand, that may be submitted to the qualified voters for approval;

23 (l) The maximum rates of special assessments and respective methods of assessment that
24 may be proposed by petition;

25 (m) The limitations, if any, on the borrowing capacity of the district;

26 (n) The limitations, if any, on the revenue generation of the district;

27 (o) Other limitations, if any, on the powers of the district;

28 (p) A request that the district be established; and

29 (q) Any other items the petitioners deem appropriate;

30 (4) The signature block for each real property owner signing the petition shall be in
31 substantially the following form and contain the following information:

32 Name of owner: _____

33 Owner's telephone number and mailing address: _____

34 If signer is different from owner:

35 Name of signer: _____

36 State basis of legal authority to sign: _____

37 Signer's telephone number and mailing address: _____

38 If the owner is an individual, state if owner is single or married: _____

39 If owner is not an individual, state what type of entity: _____

40 Map and parcel number and assessed value of each tract of real property
41 within the proposed district owned: _____

42 By executing this petition, the undersigned represents and warrants that he or
43 she is authorized to execute this petition on behalf of the property owner
44 named immediately above

45 _____
46 Signature of person
47 signing for owner
48 STATE OF MISSOURI)

_____)
Date

49) ss.

1 COUNTY OF _____)

2 Before me personally appeared _____, to me personally known to be the
3 individual described in and who executed the foregoing instrument.

4 WITNESS my hand and official seal this _____ day of _____ (month),
5 _____ (year).

6 _____
7 Notary Public

8 My Commission Expires: _____ ; and

9 (5) Alternatively, the governing body of any home rule city with more than four hundred
10 thousand inhabitants and located in more than one county may file a petition to initiate the process
11 to establish a district in the portion of the city located in any county of the first classification with
12 more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing
13 the information required in subdivision (3) of this subsection; provided that the only funding
14 methods for the services and improvements will be a real property tax.

15 3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to
16 exceed ninety days after receipt of the petition, review and determine whether the petition
17 substantially complies with the requirements of subsection 2 of this section. In the event the
18 municipal clerk receives a petition which does not meet the requirements of subsection 2 of this
19 section, the municipal clerk shall, within a reasonable time, return the petition to the submitting
20 party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall
21 specify which requirements have not been met.

22 4. After the close of the public hearing required pursuant to subsection 1 of this section, the
23 governing body of the municipality may adopt an ordinance approving the petition and establishing
24 a district as set forth in the petition and may determine, if requested in the petition, whether the
25 district, or any legally described portion thereof, constitutes a blighted area. If the petition was filed
26 by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section,
27 after the close of the public hearing required pursuant to subsection 1 of this section, the petition
28 may be approved by the governing body and an election shall be called pursuant to section 67.1422.

29 5. Amendments to a petition may be made which do not change the proposed boundaries of
30 the proposed district if an amended petition meeting the requirements of subsection 2 of this section
31 is filed with the municipal clerk at the following times and the following requirements have been
32 met:

33 (1) At any time prior to the close of the public hearing required pursuant to subsection 1 of
34 this section; provided that, notice of the contents of the amended petition is given at the public
35 hearing;

36 (2) At any time after the public hearing and prior to the adoption of an ordinance
37 establishing the proposed district; provided that, notice of the amendments to the petition is given by
38 publishing the notice in a newspaper of general circulation within the municipality and by sending
39 the notice via registered certified United States mail with a return receipt attached to the address of
40 record of each owner of record of real property within the boundaries of the proposed district per the
41 tax records of the county clerk, or the collector of revenue if the district is located in a city not
42 within a county. Such notice shall be published and mailed not less than ten days prior to the
43 adoption of the ordinance establishing the district;

44 (3) At any time after the adoption of any ordinance establishing the district a public hearing
45 on the amended petition is held and notice of the public hearing is given in the manner provided in
46 section 67.1431 and the governing body of the municipality in which the district is located adopts an
47 ordinance approving the amended petition after the public hearing is held.

48 6. Upon the creation of a district, the municipal clerk shall report in writing the creation of
49 such district to the Missouri department of economic development and the state auditor.

1 67.1451. 1. If a district is a political subdivision, the election and qualifications of members
2 to the district's board of directors shall be in accordance with this section. If a district is a not-for-
3 profit corporation, the election and qualification of members to its board of directors shall be in
4 accordance with chapter 355.

5 2. (1) The district shall be governed by a board consisting of at least five but not more than
6 thirty directors.

7 (2) Except as otherwise provided in this subsection, each director shall, during his or her
8 entire term~~[, be]~~:

9 ~~[(1)]~~ (a) Be at least eighteen years of age; ~~and~~

10 ~~[(2)]~~ (b) Be either:

11 ~~[(a)]~~ a. An owner, as defined in section 67.1401, of real property or of a business operating
12 within the district; or

13 ~~[(b)]~~ b. A registered voter residing within the district; and

14 ~~[(3)]~~ (c) Satisfy any other qualifications set forth in the petition establishing the district.

15 (3) In the case of districts established after August 28,2021, if there are no registered voters
16 in the district on the date the petition is filed, at least one director shall, during his or her entire term,
17 be a person who:

18 (a) Resides within the municipality that established the district;

19 (b) Is qualified and registered to vote under chapter 115 according to the records of the
20 election authority as of the thirtieth day prior to the date of the applicable election;

21 (c) Has no financial interest in any real property or business operating within the district;
22 and

23 (d) Is not a relative within the second degree of consanguinity or affinity to an owner of real
24 property or a business operating in the district.

25 (4) If there are fewer than five owners of real property located within a district, the board
26 may be comprised of up to five legally authorized representatives of any of the owners of real
27 property located within the district.

28 3. If the district is a political subdivision, the board shall be elected or appointed, as
29 provided in the petition. However, in the case of districts established after August 28,2021, if the
30 board is to be elected, the petition shall require at least one member of the board be appointed by the
31 governing body of the municipality in the same manner as provided in this section for board
32 appointments. The appointed board member shall serve a four-year term.

33 4. If the board is to be elected, the procedure for election shall be as follows:

34 (1) The municipal clerk shall specify a date on which the election shall occur which date
35 shall be a Tuesday and shall not be earlier than the tenth Tuesday, and shall not be later than the
36 fifteenth Tuesday, after the effective date of the ordinance adopted to establish the district;

37 (2) The election shall be conducted in the same manner as provided for in section 67.1551,
38 provided that the published notice of the election shall contain the information required by section
39 67.1551 for published notices, except that it shall state that the purpose of the election is for the
40 election of directors, in lieu of the information related to taxes;

41 (3) Candidates shall pay the sum of five dollars as a filing fee and shall file not later than the
42 second Tuesday after the effective date of the ordinance establishing the district with the municipal
43 clerk a statement under oath that he or she possesses all of the qualifications set out in this section
44 for a director. Thereafter, such candidate shall have his or her name placed on the ballot as a
45 candidate for director;

46 (4) The director or directors to be elected shall be elected at large. The person receiving the
47 most votes shall be elected to the position having the longest term; the person receiving the second
48 highest votes shall be elected to the position having the next longest term and so forth. For any
49 district formed prior to August 28, 2003, of the initial directors, one-half shall serve for a two-year

1 term, one-half shall serve for a four-year term and if an odd number of directors are elected, the
2 director receiving the least number of votes shall serve for a two-year term, until such director's
3 successor is elected. For any district formed on or after August 28, 2003, for the initial directors,
4 one-half shall serve for a two-year term, and one-half shall serve for the term specified by the
5 district pursuant to subdivision (5) of this subsection, and if an odd number of directors are elected,
6 the director receiving the least number of votes shall serve for a two-year term, until such director's
7 successor is elected;

8 (5) Successor directors shall be elected in the same manner as the initial directors. The date
9 of the election of successor directors shall be specified by the municipal clerk which date shall be a
10 Tuesday and shall not be later than the date of the expiration of the stated term of the expiring
11 director. Each successor director shall serve a term for the length specified prior to the election by
12 the district, which term shall be at least three years and not more than four years, and shall continue
13 until such director's successor is elected.

14
15 In the event of a vacancy on the board of directors, the remaining directors shall elect an interim
16 director to fill the vacancy for the unexpired term.

17 5. If the petition provides that the board is to be appointed by the municipality, such
18 appointments shall be made by the chief elected officer of the municipality with the consent of the
19 governing body of the municipality. For any district formed prior to August 28, 2003, of the initial
20 appointed directors, one-half of the directors shall be appointed to serve for a two-year term and the
21 remaining one-half shall be appointed to serve for a four-year term until such director's successor is
22 appointed; provided that, if there is an odd number of directors, the last person appointed shall serve
23 a two-year term. For any district formed on or after August 28, 2003, of the initial appointed
24 directors, one-half shall be appointed to serve for a two-year term, and one-half shall be appointed
25 to serve for the term specified by the district for successor directors pursuant to this subsection, and
26 if an odd number of directors are appointed, the last person appointed shall serve for a two-year
27 term; provided that each director shall serve until such director's successor is appointed. Successor
28 directors shall be appointed in the same manner as the initial directors and shall serve for a term of
29 years specified by the district prior to the appointment, which term shall be at least three years and
30 not more than four years.

31 6. If the petition states the names of the initial directors, those directors shall serve for the
32 terms specified in the petition and successor directors shall be determined either by the above-listed
33 election process or appointment process as provided in the petition.

34 7. Any director may be removed for cause by a two-thirds affirmative vote of the directors
35 of the board. Written notice of the proposed removal shall be given to all directors prior to action
36 thereon.

37 8. The board is authorized to act on behalf of the district, subject to approval of qualified
38 voters as required in this section; except that, all official acts of the board shall be by written
39 resolution approved by the board.

40 67.1461. 1. Each district shall have all the powers, except to the extent any such power has
41 been limited by the petition approved by the governing body of the municipality to establish the
42 district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to
43 67.1571 including, but not limited to, the following:

44 (1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571,
45 necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

46 (2) To sue and be sued;

47 (3) To make and enter into contracts and other instruments, with public and private entities,
48 necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401
49 to 67.1571;

1 (4) To accept grants, guarantees and donations of property, labor, services, or other things of
2 value from any public or private source;

3 (5) To employ or contract for such managerial, engineering, legal, technical, clerical,
4 accounting, or other assistance as it deems advisable;

5 (6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property
6 within its boundaries, personal property, or any interest in such property;

7 (7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise
8 encumber or dispose of any real or personal property or any interest in such property;

9 (8) To levy and collect special assessments and taxes as provided in sections 67.1401 to
10 67.1571. However, no such assessments or taxes shall be levied on any property exempt from
11 taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of
12 section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

13 (9) If the district is a political subdivision, to levy real property taxes and business license
14 taxes in the county seat of a county of the first classification containing a population of at least two
15 hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or
16 taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of
17 section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may
18 voluntarily participate in the provisions of sections 67.1401 to 67.1571;

19 (10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401
20 to 67.1571;

21 (11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

22 (a) The district's real property, except for public rights-of-way for utilities;

23 (b) The district's personal property, except in a city not within a county; or

24 (c) Any of the district's interests in such real or personal property, except for public rights-
25 of-way for utilities;

26 (12) To borrow money from any public or private source and issue obligations and provide
27 security for the repayment of the same as provided in sections 67.1401 to 67.1571;

28 (13) To loan money as provided in sections 67.1401 to 67.1571;

29 (14) To make expenditures, create reserve funds, and use its revenues as necessary to carry
30 out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

31 (15) To enter into one or more agreements with the municipality for the purpose of abating
32 any public nuisance within the boundaries of the district including, but not limited to, the
33 stabilization, repair or maintenance or demolition and removal of buildings or structures, provided
34 that the municipality has declared the existence of a public nuisance;

35 (16) Within its boundaries, to provide assistance to or to construct, reconstruct, install,
36 repair, maintain, and equip any of the following public improvements:

37 (a) Pedestrian or shopping malls and plazas;

38 (b) Parks, lawns, trees, and any other landscape;

39 (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

40 (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic
41 signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

42 (e) Parking lots, garages, or other facilities;

43 (f) Lakes, dams, and waterways;

44 (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees,
45 awnings, canopies, walls, and barriers;

46 (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

47 (i) Paintings, murals, display cases, sculptures, and fountains;

48 (j) Music, news, and child-care facilities; and

49 (k) Any other useful, necessary, or desired public improvement specified in the petition or

1 any amendment;

2 (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks,
3 parks, and other real property and improvements located within its boundaries for public use;

4 (18) Within its boundaries and with the municipality's consent, to prohibit or restrict
5 vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and
6 tunnels and to provide the means for access by emergency vehicles to or in such areas;

7 (19) Within its boundaries, to operate or to contract for the provision of music, news, child-
8 care, or parking facilities, and buses, minibuses, or other modes of transportation;

9 (20) Within its boundaries, to lease space for sidewalk café tables and chairs;

10 (21) Within its boundaries, to provide or contract for the provision of security personnel,
11 equipment, or facilities for the protection of property and persons;

12 (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other
13 services to public and private property;

14 (23) To produce and promote any tourism, recreational or cultural activity or special event
15 in the district by, but not limited to, advertising, decoration of any public place in the district,
16 promotion of such activity and special events, and furnishing music in any public place;

17 (24) To support business activity and economic development in the district including, but
18 not limited to, the promotion of business activity, development and retention, and the recruitment of
19 developers and businesses;

20 (25) To provide or support training programs for employees of businesses within the district;

21 (26) To provide refuse collection and disposal services within the district;

22 (27) To contract for or conduct economic, planning, marketing or other studies;

23 (28) To repair, restore, or maintain any abandoned cemetery on public or private land within
24 the district; and

25 (29) To partner with a telecommunications company or broadband service provider in order
26 to construct or improve telecommunications facilities which shall be wholly owned and operated by
27 the telecommunications company or broadband service provider, as the terms "telecommunications
28 company" and "telecommunications facilities" are defined in section 386.020 and subject to the
29 provisions of section 392.410, that are in an unserved or underserved area, as defined in section
30 620.2450. Before any facilities are improved or constructed as a result of this section, the area shall
31 be certified as unserved or underserved by the director of broadband development within the
32 department of economic development;

33 (30) To carry out any other powers set forth in sections 67.1401 to 67.1571.

34 2. Each district which is located in a blighted area or which includes a blighted area shall
35 have the following additional powers:

36 (1) Within its blighted area, to contract with any private property owner to demolish and
37 remove, renovate, reconstruct, or rehabilitate any building or structure owned by such private
38 property owner; and

39 (2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant
40 to this subsection, provided that the governing body of the municipality has determined that the
41 action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting
42 conditions and will serve a public purpose.

43 3. Each district shall annually reimburse the municipality for the reasonable and actual
44 expenses incurred by the municipality to establish such district and review annual budgets and
45 reports of such district required to be submitted to the municipality; provided that, such annual
46 reimbursement shall not exceed one and one-half percent of the revenues collected by the district in
47 such year.

48 4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any
49 sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the

1 public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to
2 67.1571.

3 5. The governing body of the municipality establishing the district shall not decrease the
4 level of publicly funded services in the district existing prior to the creation of the district or transfer
5 the financial burden of providing the services to the district unless the services at the same time are
6 decreased throughout the municipality, nor shall the governing body discriminate in the provision of
7 the publicly funded services between areas included in such district and areas not so included.

8 6. All construction contracts entered into after August 28, 2021, in excess of five thousand
9 dollars between the district and any private person, firm, or corporation shall be competitively bid
10 and shall be awarded to the lowest and best bidder. Notice of the letting of the contracts shall be
11 given in the manner provided by section 8.250.

12 67.1471. 1. The fiscal year for the district shall be the same as the fiscal year of the
13 municipality.

14 2. No earlier than one hundred eighty days and no later than ninety days prior to the first day
15 of each fiscal year, the board shall submit to the governing body of the city a proposed annual
16 budget, setting forth expected expenditures, revenues, and rates of assessments and taxes, if any, for
17 such fiscal year. The governing body may review and comment to the board on this proposed
18 budget, but if such comments are given, the governing body of the municipality shall provide such
19 written comments to the board no later than sixty days prior to the first day of the relevant fiscal
20 year; such comments shall not constitute requirements but shall only be recommendations.

21 3. The board shall hold an annual meeting and adopt an annual budget no later than thirty
22 days prior to the first day of each fiscal year.

23 4. Within one hundred twenty days after the end of each fiscal year, the district shall submit
24 a report to the municipal clerk and the Missouri department of economic development [~~stating~~].
25 The report shall state the services provided, revenues collected, and expenditures made by the
26 district during such fiscal year[;]; state the dates the district adopted its annual budget, submitted its
27 proposed annual budget to the municipality, and submitted its annual report to the municipal clerk;
28 and include copies of written resolutions approved by the board during the fiscal year. The
29 municipal clerk shall retain this report as part of the official records of the municipality and shall
30 also cause this report to be spread upon the records of the governing body.

31 5. The state auditor may audit a district in the same manner as the auditor may audit any
32 agency of the state.

33 67.1481. 1. Each ordinance establishing a district shall set forth the term for the existence
34 of such district which term may be defined as a minimum, maximum, or definite number of years,
35 but in the case of districts established after August 28, 2021, the term shall not exceed twenty-seven
36 years except as provided under subsection 6 of this section.

37 2. Upon receipt by the municipal clerk of a proper petition and after notice and a public
38 hearing, any district may be terminated by ordinance adopted by the governing body of the
39 municipality prior to the expiration of its term if the district has no outstanding obligations. A copy
40 of such ordinance shall be given to the department of economic development.

41 3. A petition for the termination of a district is proper if:

42 (1) It names the district to be terminated;

43 (2) It has been signed by owners of real property collectively owning more than fifty percent
44 by assessed value of real property within the boundaries of the district;

45 (3) It has been signed by more than fifty percent per capita of owners of real property within
46 the boundaries of the district;

47 (4) It contains a plan for dissolution and distribution of the assets of the district; and

48 (5) The signature block signed by each petitioner is in the form set forth in subdivision (4)
49 of subsection 2 of section 67.1421.

1 4. The public hearing required by this section shall be held and notice of such public hearing
2 shall be given in the manner set forth in section 67.1431. The notice shall contain the following
3 information:

4 (1) The date, time and place of the public hearing;

5 (2) A statement that a petition requesting the termination of the district has been filed with
6 the municipal clerk;

7 (3) A statement that a copy of the petition is available at the office of the municipal clerk
8 during regular business hours; and

9 (4) A statement that all interested parties will be given an opportunity to be heard.

10 5. Upon expiration or termination of a district, the assets of such district shall either be
11 ~~[distributed]~~ sold or transferred in accordance with the plan for dissolution as approved by
12 ordinance. Every effort should be made by the municipality for the assets of the district to be
13 distributed in such a manner so as to benefit the real property which was formerly a part of the
14 district.

15 6. Prior to the expiration of the term of a district, a municipality may adopt an ordinance to
16 extend the term of the existence of a district after holding a public hearing on the proposed
17 extension. The extended term may be defined as a minimum, maximum, or definite number of
18 years, but the extended term shall not exceed twenty-seven years. Notice of the hearing shall be
19 given in the same manner as required under section 67.1431, except the notice shall include the
20 time, date, and place of the public hearing; the name of the district; a map showing the boundaries
21 of the existing district; and a statement that all interested persons shall be given an opportunity to be
22 heard at the public hearing.

23 67.1545. 1. Any district formed as a political subdivision may impose by resolution a
24 district sales and use tax on all retail sales made in such district which are subject to taxation
25 pursuant to sections 144.010 to 144.525, except sales of motor vehicles, trailers, boats or outboard
26 motors and sales to or by public utilities and providers of communications, cable, or video services.
27 Any sales and use tax imposed pursuant to this section may be imposed in increments of one-eighth
28 of one percent, up to a maximum of one percent. Such district sales and use tax may be imposed for
29 any district purpose designated by the district in its ballot of submission to its qualified voters;
30 except that, no resolution adopted pursuant to this section shall become effective unless the board of
31 directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to
32 authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified
33 voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a
34 majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is
35 void.

36 2. The ballot shall be substantially in the following form:

37 Shall the _____ (insert name of district) Community Improvement District
38 impose a community improvement districtwide sales and use tax at the
39 maximum rate of _____ (insert amount) for a period of _____ (insert
40 number) years from the date on which such tax is first imposed for the
41 purpose of providing revenue for _____ (insert general description of the
42 purpose)?

43 YES NO

44 If you are in favor of the question, place an "X" in the box opposite "YES". If
45 you are opposed to the question, place an "X" in the box opposite "NO".

46 3. Within ten days after the qualified voters have approved the imposition of the sales and
47 use tax, the district shall, in accordance with section 32.087, notify the director of the department of
48 revenue. The sales and use tax authorized by this section shall become effective on the first day of
49 the second calendar quarter after the director of the department of revenue receives notice of the

1 adoption of such tax.

2 4. The director of the department of revenue shall collect any tax adopted pursuant to this
3 section pursuant to section 32.087.

4 5. In each district in which a sales and use tax is imposed pursuant to this section, every
5 retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so
6 added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the
7 retailer until paid and shall be recoverable at law in the same manner as the purchase price.

8 6. In order to allow retailers to collect and report the sales and use tax authorized by this
9 section as well as all other sales and use taxes required by law in the simplest and most efficient
10 manner possible, a district may establish appropriate brackets to be used in the district imposing a
11 tax pursuant to this section in lieu of the brackets provided in section 144.285.

12 7. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this
13 section.

14 8. All revenue received by the district from a sales and use tax imposed pursuant to this
15 section which is designated for a specific purpose shall be deposited into a special trust fund and
16 expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to
17 this section, all funds remaining in the special trust fund shall continue to be used solely for the
18 specific purpose designated in the resolution adopted by the qualified voters. Any funds in such
19 special trust fund which are not needed for current expenditures may be invested by the board of
20 directors pursuant to applicable laws relating to the investment of other district funds.

21 9. A district may repeal by resolution any sales and use tax imposed pursuant to this section
22 before the expiration date of such sales and use tax unless the repeal of such sales and use tax will
23 impair the district's ability to repay any liabilities the district has incurred, moneys the district has
24 borrowed or obligation the district has issued to finance any improvements or services rendered for
25 the district.

26 10. Notwithstanding the provisions of chapter 115, an election for a district sales and use tax
27 under this section shall be conducted in accordance with the provisions of this section.

28 11. In each district in which a sales tax is imposed under this section, every retailer shall
29 prominently display the rate of the sales tax imposed or increased at the cash register area."; and
30

31 Further amend said bill, Pages 8-9, Section 135.445, Lines 1-44, by deleting all of said section and
32 said lines and inserting in lieu thereof the following:
33

34 "99.020. The following terms, wherever used or referred to in sections 99.010 to 99.230,
35 shall have the following respective meanings unless a different meaning clearly appears from the
36 context:

37 (1) "Area of operation", in the case of a housing authority of a city, shall include such city;
38 in the case of a housing authority of a county, shall include all of the county except that portion
39 which lies within the territorial boundaries of any city as herein defined;

40 (2) "Authority" or "housing authority" shall mean any of the municipal corporations created
41 by section 99.040;

42 (3) "Blighted" ~~[shall mean any area where dwellings predominate which, by reason of~~
43 ~~dilapidation, overcrowding, lack of ventilation, light or sanitary facilities or any combination of~~
44 ~~these factors are detrimental to safety, health and morals]~~, the same meaning as defined pursuant to
45 section 99.805;

46 (4) "Bonds" shall mean any bonds, notes, interim certificates, debentures, or other
47 obligations issued by the authority pursuant to this chapter;

48 (5) "City" shall mean any city, town or village in the state;

49 (6) "The city" shall mean the particular city for which a particular housing authority is

1 created;

2 (7) "Clerk" shall mean the clerk of the city or the clerk of the county commission, as the
3 case may be, or the officer charged with the duties customarily imposed on such clerk;

4 (8) "County" shall mean any county in the state;

5 (9) "The county" shall mean the particular county for which a particular housing authority is
6 created;

7 (10) "Federal government" shall include the United States of America, the United States
8 Department of Housing and Urban Development or any other agency or instrumentality, corporate
9 or otherwise, of the United States of America;

10 (11) "Governing body" shall mean, in the case of a city, the city council, common council,
11 board of aldermen or other legislative body of the city, and in the case of a county, the county
12 commission or other legislative body of the county;

13 (12) "Housing project" shall mean any work or undertaking, whether in a blighted or other
14 area:

15 (a) To demolish, clear or remove buildings. Such work or undertaking may include the
16 adaptation of such area to public purposes, including parks or other recreation or community
17 purposes; or

18 (b) To provide decent, safe and sanitary urban or rural dwellings, apartments or other living
19 accommodations for persons of very low and lower income. Such work or undertaking may include
20 buildings, land, equipment, facilities and other real or personal property for necessary, convenient or
21 desirable appurtenances, streets, sewers, water service, site preparation, gardening, administrative,
22 community, health, welfare or other purposes. Such work or undertaking may also include housing,
23 for persons of moderate income, offices, stores, solar energy access, parks, and recreational and
24 educational facilities, provided that such activities be undertaken only in conjunction with the
25 provision of housing for persons of very low and lower income, and provided further that any profit
26 of the authority shall be distributed as provided in subsection 3 of section 99.080; or

27 (c) To accomplish a combination of the foregoing. The term "housing project" also may be
28 applied to the planning of the buildings and improvements, the acquisition of property; the
29 demolition of existing structures, the construction, reconstruction, alteration and repair of the
30 improvements and all other work in connection therewith;

31 (d) In the planning and carrying out of any housing project owned and operated by a
32 housing authority, a housing authority shall establish procedures for allocating any training and
33 employment opportunities which may arise from such activity to qualified persons of very low and
34 lower income who have been unemployed for one year or more and reside within the area of
35 operation of the housing authority;

36 (13) "Mayor" shall mean the elected mayor of the city or the elected officer thereof charged
37 with duties customarily imposed on the mayor or executive head of the city;

38 (14) "Obligee of the authority" or "obligee" shall include any bondholder, trustee or trustees
39 for any bondholders, or lessor demising to the authority property used in connection with a housing
40 project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal
41 government when it is a party to any contract with the authority;

42 (15) "Persons of very low income" means those persons or families whose annual income
43 does not exceed fifty percent of the median income for the area. "Persons of lower income" means
44 those persons or families whose annual income is greater than fifty but does not exceed eighty
45 percent of the median income for the area. "Persons of moderate income" means those persons or
46 families whose annual income is greater than eighty but does not exceed one hundred and fifty
47 percent of the median income for the area. For purposes of this subdivision, median income for the
48 area shall be determined in accordance with section 1437a, Title 42, United States Code, including
49 any amendments thereto. Any and all references to "persons of low income" in this chapter shall

1 mean persons of very low, lower or moderate income as defined herein;

2 (16) "Profit" shall mean the difference between gross revenues and necessary and ordinary
3 business expenses, including debt service, if any;

4 (17) "Real property" shall include all lands, including improvements and fixtures thereon,
5 and property of any nature appurtenant thereto, or used in connection therewith, and every estate,
6 interest and right, legal or equitable, therein, including terms for years and liens by way of
7 judgment, mortgage or otherwise and the indebtedness secured by such liens.

8 99.320. As used in this law, the following terms mean:

9 (1) "Area of operation", in the case of a municipality, the area within the municipality
10 except that the area of operation of a municipality under this law shall not include any area which
11 lies within the territorial boundaries of another municipality unless a resolution has been adopted by
12 the governing body of the other municipality declaring a need therefor; and in the case of a county,
13 the area within the county, except that the area of operation in such case shall not include any area
14 which lies within the territorial boundaries of a municipality unless a resolution has been adopted by
15 the governing body of the municipality declaring a need therefor; and in the case of a regional
16 authority, the area within the communities for which the regional authority is created, except that a
17 regional authority shall not undertake a land clearance project within the territorial boundaries of
18 any municipality unless a resolution has been adopted by the governing body of the municipality
19 declaring that there is a need for the regional authority to undertake the land clearance project within
20 such municipality; no authority shall operate in any area of operation in which another authority
21 already established is undertaking or carrying out a land clearance project without the consent, by
22 resolution, of the other authority;

23 (2) "Authority" or "land clearance for redevelopment authority", a public body corporate
24 and politic created by or pursuant to section 99.330 or any other public body exercising the powers,
25 rights and duties of such an authority;

26 (3) "Blighted area", ~~[an area which, by reason of the predominance of defective or~~
27 ~~inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements,~~
28 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~
29 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~
30 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~
31 ~~health, safety, morals, or welfare in its present condition and use]~~ the same meaning as defined
32 pursuant to section 99.805;

33 (4) "Bond", any bonds, including refunding bonds, notes, interim certificates, debentures, or
34 other obligations issued by an authority pursuant to this law;

35 (5) "Clerk", the clerk or other official of the municipality or county who is the custodian of
36 the official records of the municipality or county;

37 (6) "Community", any county or municipality except that such term shall not include any
38 municipality containing less than seventy-five thousand inhabitants until the governing body thereof
39 shall have submitted the proposition of accepting the provisions of this law to the qualified voters
40 therein at an election called and held as provided by law for the incurring of indebtedness by such
41 municipality, and a majority of the voters voting at the election shall have voted in favor of such
42 proposition;

43 (7) "Federal government", the United States of America or any agency or instrumentality,
44 corporate or otherwise, of the United States of America;

45 (8) "Governing body", the city council, common council, board of aldermen or other
46 legislative body charged with governing the municipality or the county commission or other
47 legislative body charged with governing the county;

48 (9) "Insanitary area", an area in which there is a predominance of buildings and
49 improvements which, by reason of dilapidation, deterioration, age or obsolescence, inadequate

1 provision for ventilation, light, air sanitation or open spaces, high density of population and
 2 overcrowding of buildings, overcrowding of land, or the existence of conditions which endanger life
 3 or property by fire and other causes, or any combination of such factors, is conducive to ill health,
 4 transmission of disease, infant mortality, juvenile delinquency and crime or constitutes an economic
 5 or social liability and is detrimental to the public health, safety, morals, or welfare;

6 (10) "Land clearance project", any work or undertaking:

7 (a) To acquire blighted, or insanitary areas or portions thereof, including lands, structures, or
 8 improvements the acquisition of which is necessary or incidental to the proper clearance,
 9 development or redevelopment of the blighted or insanitary areas or to the prevention of the spread
 10 or recurrence of substandard or insanitary conditions or conditions of blight;

11 (b) To clear any such areas by demolition or removal of existing buildings, structures,
 12 streets, utilities or other improvements thereon and to install, construct or reconstruct streets,
 13 utilities, and site improvements essential to the preparation of sites for uses in accordance with a
 14 redevelopment plan;

15 (c) To sell, lease or otherwise make available land in such areas for residential, recreational,
 16 commercial, industrial or other use or for public use or to retain such land for public use, in
 17 accordance with a redevelopment plan;

18 (d) To develop, construct, reconstruct, rehabilitate, repair or improve residences, houses,
 19 buildings, structures and other facilities;

20 (e) The term "land clearance project" may also include the preparation of a redevelopment
 21 plan, the planning, survey and other work incident to a land clearance project and the preparation of
 22 all plans and arrangements for carrying out a land clearance project and wherever the words "land
 23 clearance project" are used in this law, they shall also mean and include the words "urban renewal
 24 project" as defined in this section;

25 (11) "Mayor", the elected mayor of the city or the elected officer having the duties
 26 customarily imposed upon the mayor of the city or the executive head of a county;

27 (12) "Municipality", any incorporated city, town or village in the state;

28 (13) "Obligee", any bondholders, agents or trustees for any bondholders, lessor demising to
 29 the authority property used in connection with land clearance project, or any assignee or assignees
 30 of the lessor's interest or any part thereof, and the federal government when it is a party to any
 31 contract with the authority;

32 (14) "Person", any individual, firm, partnership, corporation, company, association, joint
 33 stock association, or body politic; and shall include any trustee, receiver, assignee, or other similar
 34 representative thereof;

35 (15) "Public body", the state or any municipality, county, township, board, commission,
 36 authority, district, or any other subdivision of the state;

37 (16) "Real property", all lands, including improvements and fixtures thereon, and property
 38 of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and
 39 right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage
 40 or otherwise and the indebtedness secured by such liens;

41 (17) "Redeveloper", any person, partnership, or public or private corporation or agency
 42 which enters or proposes to enter into a redevelopment or rehabilitation or renewal contract;

43 (18) "Redevelopment contract", a contract entered into between an authority and
 44 redeveloper for the redevelopment, rehabilitation or renewal of an area in conformity with a
 45 redevelopment plan or an urban renewal plan;

46 (19) "Redevelopment", the process of undertaking and carrying out a redevelopment plan or
 47 urban renewal plan;

48 (20) "Redevelopment plan", a plan other than a preliminary or tentative plan for the
 49 acquisition, clearance, reconstruction, rehabilitation, renewal or future use of a land clearance

1 project area, and shall be sufficiently complete to comply with subdivision (4) of section 99.430 and
 2 shall be in compliance with a "workable program" for the city as a whole and wherever used in
 3 sections 99.300 to 99.660 the words "redevelopment plan" shall also mean and include "urban
 4 renewal plan" as defined in this section;

5 (21) "Urban renewal plan", a plan as it exists from time to time, for an urban renewal
 6 project, which plan shall conform to the general plan for the municipality as a whole; and shall be
 7 sufficiently complete to indicate such land acquisition, demolition and removal of structures,
 8 redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the area of
 9 the urban renewal project, zoning and planning changes, if any, land uses, maximum densities,
 10 building requirements, and the relationship of the plan to definite local objectives respecting
 11 appropriate land uses, improved traffic, public transportation, public utilities, recreational and
 12 community facilities, and other public improvements; an urban renewal plan shall be prepared and
 13 approved pursuant to the same procedure as provided with respect to a redevelopment plan;

14 (22) "Urban renewal project", any surveys, plans, undertakings and activities for the
 15 elimination and for the prevention of the spread or development of insanitary, blighted, deteriorated
 16 or deteriorating areas and may involve any work or undertaking for such purpose constituting a land
 17 clearance project or any rehabilitation or conservation work, or any combination of such
 18 undertaking or work in accordance with an urban renewal project; for this purpose, "rehabilitation or
 19 conservation work" may include:

20 (a) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of
 21 buildings or other improvements;

22 (b) Acquisition of real property and demolition, removal or rehabilitation of buildings and
 23 improvements thereon where necessary to eliminate unhealthful, insanitary or unsafe conditions,
 24 lessen density, eliminate uneconomic, obsolete or other uses detrimental to the public welfare, or to
 25 otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed
 26 public facilities;

27 (c) To develop, construct, reconstruct, rehabilitate, repair or improve residences, houses,
 28 buildings, structures and other facilities;

29 (d) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and
 30 other improvements necessary for carrying out the objectives of the urban renewal project; and

31 (e) The disposition, for uses in accordance with the objectives of the urban renewal project,
 32 of any property or part thereof acquired in the area of the project; but such disposition shall be in the
 33 manner prescribed in this law for the disposition of property in a land clearance project area;

34 (23) "Workable program", an official plan of action, as it exists from time to time, for
 35 effectively dealing with the problem in insanitary, blighted, deteriorated or deteriorating areas within
 36 the community and for the establishment and preservation of a well-planned community with well-
 37 organized residential neighborhoods of decent homes and suitable living environment for adequate
 38 family life, for utilizing appropriate private and public resources to eliminate and prevent the
 39 development or spread of insanitary, blighted, deteriorated or deteriorating areas, to encourage
 40 needed urban rehabilitation, to provide for the redevelopment of blighted, insanitary, deteriorated
 41 and deteriorating areas, or to undertake such of the aforesaid activities or other feasible community
 42 activities as may be suitably employed to achieve the objectives of such a program.

43 99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise,
 44 the following terms shall mean:

45 (1) "Blighted area", an area which, by reason of the predominance of [~~defective or~~
 46 ~~inadequate street layout,~~] insanitary or unsafe conditions, deterioration of site improvements,
 47 [~~improper subdivision or obsolete platting,~~] or the existence of conditions which endanger life or
 48 property by fire and other causes, or any combination of such factors, retards the provision of
 49 housing accommodations or constitutes an economic or social liability or a menace to the public

1 health, safety, [~~m~~orals,] or welfare in its present condition and use;

2 (2) "Collecting officer", the officer of the municipality responsible for receiving and
3 processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of
4 revenue;

5 (3) "Conservation area", any improved area within the boundaries of a redevelopment area
6 located within the territorial limits of a municipality in which fifty percent or more of the structures
7 in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is
8 detrimental to the public health, safety, [~~m~~orals,] or welfare and may become a blighted area
9 because of any one or more of the following factors: dilapidation; obsolescence; deterioration;
10 illegal use of individual structures; presence of structures below minimum code standards;
11 abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of
12 ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land
13 use or layout; depreciation of physical maintenance; and lack of community planning. A
14 conservation area shall meet at least three of the factors provided in this subdivision for projects
15 approved on or after December 23, 1997. For all redevelopment plans and projects approved on or
16 after January 1, 2022, in retail areas, a conservation area shall meet the dilapidation factor as one of
17 the three factors required under this subdivision;

18 (4) "Economic activity taxes", the total additional revenue from taxes which are imposed by
19 a municipality and other taxing districts, and which are generated by economic activities within a
20 redevelopment area over the amount of such taxes generated by economic activities within such
21 redevelopment area in the calendar year prior to the adoption of the ordinance designating such a
22 redevelopment area, while tax increment financing remains in effect, but excluding personal
23 property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of
24 hotels and motels, licenses, fees or special assessments. For redevelopment projects or
25 redevelopment plans approved after December 23, 1997, if a retail establishment relocates within
26 one year from one facility to another facility within the same county and the governing body of the
27 municipality finds that the relocation is a direct beneficiary of tax increment financing, then for
28 purposes of this definition, the economic activity taxes generated by the retail establishment shall
29 equal the total additional revenues from economic activity taxes which are imposed by a
30 municipality or other taxing district over the amount of economic activity taxes generated by the
31 retail establishment in the calendar year prior to its relocation to the redevelopment area;

32 (5) "Economic development area", any area or portion of an area located within the
33 territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3)
34 of this section, and in which the governing body of the municipality finds that redevelopment will
35 not be solely used for development of commercial businesses which unfairly compete in the local
36 economy and is in the public interest because it will:

37 (a) Discourage commerce, industry or manufacturing from moving their operations to
38 another state; or

39 (b) Result in increased employment in the municipality; or

40 (c) Result in preservation or enhancement of the tax base of the municipality;

41 (6) "Gambling establishment", an excursion gambling boat as defined in section 313.800
42 and any related business facility including any real property improvements which are directly and
43 solely related to such business facility, whose sole purpose is to provide goods or services to an
44 excursion gambling boat and whose majority ownership interest is held by a person licensed to
45 conduct gambling games on an excursion gambling boat or licensed to operate an excursion
46 gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be applicable only
47 to a redevelopment area designated by ordinance adopted after December 23, 1997;

48 (7) "Greenfield area", any vacant, unimproved, or agricultural property that is located
49 wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded

1 by contiguous properties with agricultural zoning classifications or uses unless said property was
 2 annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the
 3 ordinance approving the redevelopment plan for such greenfield area;

4 (8) "Municipality", a city, village, or incorporated town or any county of this state. For
 5 redevelopment areas or projects approved on or after December 23, 1997, municipality applies only
 6 to cities, villages, incorporated towns or counties established for at least one year prior to such date;

7 (9) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of
 8 indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding
 9 obligations;

10 (10) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or
 11 a county or an order of the governing body of a county whose governing body is not authorized to
 12 enact ordinances;

13 (11) "Payment in lieu of taxes", those estimated revenues from real property in the area
 14 selected for a redevelopment project, which revenues according to the redevelopment project or plan
 15 are to be used for a private use, which taxing districts would have received had a municipality not
 16 adopted tax increment allocation financing, and which would result from levies made after the time
 17 of the adoption of tax increment allocation financing during the time the current equalized value of
 18 real property in the area selected for the redevelopment project exceeds the total initial equalized
 19 value of real property in such area until the designation is terminated pursuant to subsection 2 of
 20 section 99.850;

21 (12) "Port infrastructure project", docks and associated equipment, cargo and passenger
 22 terminals, storage warehouses, or any other similar infrastructure directly related to port facilities
 23 located in a port district created pursuant to the provisions of chapter 68 and located within one-half
 24 of one mile of a navigable waterway;

25 [~~12~~] (13) "Redevelopment area", an area designated by a municipality, in respect to which
 26 the municipality has made a finding that there exist conditions which cause the area to be classified
 27 as a blighted area, a conservation area, an economic development area, an enterprise zone pursuant
 28 to sections 135.200 to 135.256, or a combination thereof, which area includes only those parcels of
 29 real property directly and substantially benefitted by the proposed redevelopment project;

30 [~~13~~] (14) "Redevelopment plan", the comprehensive program of a municipality for
 31 redevelopment intended by the payment of redevelopment costs to reduce or eliminate those
 32 conditions, the existence of which qualified the redevelopment area as a blighted area, conservation
 33 area, economic development area, or combination thereof, and to thereby enhance the tax bases of
 34 the taxing districts which extend into the redevelopment area. Each redevelopment plan shall
 35 conform to the requirements of section 99.810;

36 [~~14~~] (15) "Redevelopment project", any development project within a redevelopment area
 37 in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall
 38 include a legal description of the area selected for the redevelopment project;

39 [~~15~~] (16) "Redevelopment project costs" include the sum total of all reasonable or
 40 necessary costs incurred or estimated to be incurred, and any such costs incidental to a
 41 redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited
 42 to, the following:

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

44 (b) Professional service costs, including, but not limited to, architectural, engineering, legal,
 45 marketing, financial, planning or special services. Except the reasonable costs incurred by the
 46 commission established in section 99.820 for the administration of sections 99.800 to 99.865, such
 47 costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the
 48 costs of a redevelopment plan or project;

49 (c) Property assembly costs, including, but not limited to:

- 1 a. Acquisition of land and other property, real or personal, or rights or interests therein;
 2 b. Demolition of buildings; and
 3 c. The clearing and grading of land;
 4 (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and
 5 fixtures;
 6 (e) Initial costs for an economic development area;
 7 (f) Costs of construction of public works or improvements;
 8 (g) Financing costs, including, but not limited to, all necessary and incidental expenses
 9 related to the issuance of obligations, and which may include payment of interest on any obligations
 10 issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of
 11 any redevelopment project for which such obligations are issued and for not more than eighteen
 12 months thereafter, and including reasonable reserves related thereto;
 13 (h) All or a portion of a taxing district's capital costs resulting from the redevelopment
 14 project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment
 15 plan and project, to the extent the municipality by written agreement accepts and approves such
 16 costs;
 17 (i) Relocation costs to the extent that a municipality determines that relocation costs shall be
 18 paid or are required to be paid by federal or state law;
 19 (j) Payments in lieu of taxes;
 20 (17) "Retail area", a proposed redevelopment building area for which more than fifty
 21 percent of the usable building square footage in the area is projected to be used by retail businesses,
 22 which shall be businesses that primarily sell or offer to sell goods to a buyer primarily for the
 23 buyer's personal, family, or household use and not primarily for business, commercial, or
 24 agricultural use;
 25 (18) "Retail infrastructure projects", highways, roads, streets, bridges, sewers, traffic control
 26 systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and
 27 drainage systems, or any other similar public improvements, but in no case shall retail infrastructure
 28 projects include private structures;
 29 ~~[(16)]~~ (19) "Special allocation fund", the fund of a municipality or its commission which
 30 contains at least two separate segregated accounts for each redevelopment plan, maintained by the
 31 treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes
 32 are deposited in one account, and economic activity taxes and other revenues are deposited in the
 33 other account;
 34 ~~[(17)]~~ (20) "Taxing districts", any political subdivision of this state having the power to
 35 levy taxes;
 36 ~~[(18)]~~ (21) "Taxing districts' capital costs", those costs of taxing districts for capital
 37 improvements that are found by the municipal governing bodies to be necessary and to directly
 38 result from the redevelopment project; and
 39 ~~[(19)]~~ (22) "Vacant land", any parcel or combination of parcels of real property not used for
 40 industrial, commercial, or residential buildings.
 41 99.810. 1. Each redevelopment plan shall set forth in writing a general description of the
 42 program to be undertaken to accomplish the objectives and shall include, but need not be limited to,
 43 the estimated redevelopment project costs, the anticipated sources of funds to pay the costs,
 44 evidence of the commitments to finance the project costs, the anticipated type and term of the
 45 sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most
 46 recent equalized assessed valuation of the property within the redevelopment area which is to be
 47 subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an
 48 estimate as to the equalized assessed valuation after redevelopment, and the general land uses to
 49 apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without

1 findings that:

2 (1) The redevelopment area on the whole is a blighted area, a conservation area, or an
3 economic development area, and has not been subject to growth and development through
4 investment by private enterprise and would not reasonably be anticipated to be developed without
5 the adoption of tax increment financing. Such a finding shall include, but not be limited to, a study
6 prepared by a land use planner, urban planner, licensed architect, licensed commercial real estate
7 appraiser, or licensed attorney, which includes a detailed description of the factors that qualify the
8 redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer
9 or developers and submitted with the redevelopment plan, attesting that the provisions of this
10 subdivision have been met;

11 (2) The redevelopment plan conforms to the comprehensive plan for the development of the
12 municipality as a whole;

13 (3) The estimated dates, which shall not be more than twenty-three years from the adoption
14 of the ordinance approving a redevelopment project within a redevelopment area, of completion of
15 any redevelopment project and retirement of obligations incurred to finance redevelopment project
16 costs have been stated, provided that no ordinance approving a redevelopment project shall be
17 adopted later than ten years from the adoption of the ordinance approving the redevelopment plan
18 under which such project is authorized and provided that no property for a redevelopment project
19 shall be acquired by eminent domain later than five years from the adoption of the ordinance
20 approving such redevelopment project;

21 (4) A plan has been developed for relocation assistance for businesses and residences;

22 (5) A cost-benefit analysis showing the economic impact of the plan on each taxing district
23 which is at least partially within the boundaries of the redevelopment area. The analysis shall show
24 the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan
25 under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected
26 political subdivision, and sufficient information from the developer for the commission established
27 in section 99.820 to evaluate whether the project as proposed is financially feasible;

28 (6) A finding that the plan does not include the initial development or redevelopment of any
29 gambling establishment, provided however, that this subdivision shall be applicable only to a
30 redevelopment plan adopted for a redevelopment area designated by ordinance after December 23,
31 1997.

32 2. Tax increment allocation financing shall not be adopted under sections 99.800 to 99.865
33 in a retail area unless such financing is exclusively utilized to fund retail infrastructure projects or
34 unless such area is a blighted area or conservation area. The provisions of this subsection shall not
35 apply to any tax increment allocation financing project or plan approved before August 28, 2021,
36 nor to any amendment to tax increment allocation financing projects and plans where such projects
37 or plans were originally approved before August 28, 2021, provided that such an amendment does
38 not add buildings of new construction in excess of twenty-five percent of the scope of the original
39 redevelopment agreement.

40 3. By the last day of February each year, each commission shall report to the director of
41 economic development the name, address, phone number and primary line of business of any
42 business which relocates to the district. The director of the department of economic development
43 shall compile and report the same to the governor, the speaker of the house and the president pro
44 tempore of the senate on the last day of April each year.

45 99.820. 1. A municipality may:

46 (1) By ordinance introduced in the governing body of the municipality within fourteen to
47 ninety days from the completion of the hearing required in section 99.825, approve redevelopment
48 plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice
49 and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved

1 unless a redevelopment plan has been approved and a redevelopment area has been designated prior
2 to or concurrently with the approval of such redevelopment project and the area selected for the
3 redevelopment project shall include only those parcels of real property and improvements thereon
4 directly and substantially benefitted by the proposed redevelopment project improvements;

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

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

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

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

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

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

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

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

33 (10) Incur redevelopment costs and issue obligations;

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

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

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

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

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

47 (13) If any member of the governing body of the municipality, a member of a commission
48 established pursuant to subsection 2 or 3 of this section, or an employee or consultant of the
49 municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment

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

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

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

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

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

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

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

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

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

48 (7) At the option of the members appointed by the municipality, the members who are
49 appointed by the school boards and other taxing districts may serve on the commission for a term to

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

22 3. Beginning August 28, 2008:

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

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

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

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

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

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

48 (2) Members appointed to the commission created under this subsection, except those six
 49 members appointed by either the county executive or presiding commissioner, shall serve on the

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

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

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

30 (3) Any commission created under subsection 3 of this section shall, within fifteen days of
31 the receipt of a redevelopment plan meeting the minimum requirements of section 99.810, as
32 determined by counsel to the city, town, or village creating the commission and a request by the
33 applicable city, town, or village for a public hearing, fix a time and place for the public hearing
34 referred to in section 99.825. The public hearing shall be held no later than seventy-five days from
35 the commission's receipt of such redevelopment plan and request for public hearing. The
36 commission shall vote and make recommendations to the governing body of the city, town, or
37 village requesting the public hearing on all proposed redevelopment plans, redevelopment projects,
38 and designations of redevelopment areas, and amendments thereto within thirty days following the
39 completion of the public hearing. A recommendation of approval shall only be deemed to occur if a
40 majority of the commissioners voting on such plan, project, designation, or amendment thereto vote
41 for approval. A tied vote shall be considered a recommendation in opposition. If the commission
42 fails to vote within thirty days following the completion of the public hearing referred to in section
43 99.825 concerning the proposed redevelopment plan, redevelopment project, or designation of
44 redevelopment area, or amendments thereto, such plan, project, designation, or amendment thereto
45 shall be deemed rejected by the commission.

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

1 the governing body of the municipality that created the commission and shall be made available to
2 the public in accordance with chapter 610.

3 99.821. Notwithstanding any provision of sections 99.800 to 99.865 to the contrary,
4 redevelopment plans approved or amended after December 31, 2021, by a city not within a county
5 may provide for the deposit of up to ten percent of the tax increment financing revenues generated
6 pursuant to section 99.845 into a strategic infrastructure for economic growth fund established by
7 such city in lieu of deposit into the special allocation fund. Moneys deposited into the strategic
8 infrastructure for economic growth fund pursuant to this section may be expended by the city
9 establishing such fund for the purpose of funding capital investments in public infrastructure that the
10 governing body of such city has determined to be in a census tract that is defined as a low-income
11 community pursuant to 26 U.S.C. Section 45D(e) or is eligible to be designated as a qualified
12 opportunity zone pursuant to 26 U.S.C. Section 1400Z-1.

13 99.843. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, no new
14 tax increment financing project shall be authorized in any greenfield area, as such term is defined in
15 section 99.805], that is located within a city not within a county or any county subject to the
16 authority of the East-West Gateway Council of Governments. Municipalities not subject to the
17 authority of the East-West Gateway Council of Governments may authorize tax increment finance
18 projects in greenfield areas].

19 99.847. 1. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, for
20 all years ending on or before December 31, 2021, no new tax increment financing project shall be
21 authorized in any area which is within an area designated as flood plain by the Federal Emergency
22 Management Agency and which is located in or partly within a county with a charter form of
23 government with greater than two hundred fifty thousand inhabitants but fewer than three hundred
24 thousand inhabitants, unless the redevelopment area actually abuts a river or a major waterway and
25 is substantially surrounded by contiguous properties with residential, industrial, or commercial
26 zoning classifications. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary,
27 for all years beginning on or after January 1, 2022, no new tax increment financing project shall be
28 authorized in any area which is within an area designated as flood plain by the Federal Emergency
29 Management Agency unless such project is located in:

30 (1) A county with a charter form of government and with more than six hundred thousand
31 but fewer than seven hundred thousand inhabitants;

32 (2) A county of the first classification with more than two hundred thousand but fewer than
33 two hundred sixty thousand inhabitants;

34 (3) A county of the first classification with more than eighty-three thousand but fewer than
35 ninety-two thousand inhabitants and with a city of the fourth classification with more than four
36 thousand five hundred but fewer than five thousand inhabitants as the county seat;

37 (4) A home rule city with more than seventy-one thousand but fewer than seventy-nine
38 thousand inhabitants;

39 (5) A home rule city with more than one hundred fifty-five thousand but fewer than two
40 hundred thousand inhabitants;

41 (6) A home rule city with more than seventeen thousand but fewer than nineteen thousand
42 inhabitants and partially located in any county of the third classification without a township form of
43 government and with more than twenty-six thousand but fewer than twenty-nine thousand
44 inhabitants;

45 (7) A home rule city with more than forty-one thousand but fewer than forty-seven thousand
46 inhabitants and partially located in any county of the first classification with more than seventy
47 thousand but fewer than eighty-three thousand inhabitants;

48 (8) A port district created under the provisions of chapter 68, provided that such financing is
49 exclusively utilized to fund a port infrastructure project that is approved by the port authority; or

1 (9) A levee district created pursuant to chapter 245 or a drainage district created pursuant to
 2 chapter 242 or chapter 243 prior to August 28, 2021.

3 2. This ~~[subsection]~~ section shall not apply to tax increment financing projects or districts
 4 approved prior to July 1, 2003, and shall allow ~~[the aforementioned]~~ such tax increment financing
 5 projects to modify, amend, or expand such projects, including redevelopment project costs, by not
 6 more than forty percent of such project original projected cost, including redevelopment project
 7 costs, as such projects, including redevelopment project costs ~~[as such projects redevelopment~~
 8 ~~projects including redevelopment project costs]~~, existed as of June 30, 2003, and shall allow ~~[the~~
 9 ~~aforementioned]~~ such tax increment financing district to modify, amend, or expand such districts by
 10 not more than five percent as such districts existed as of June 30, 2003.

11 3. The provisions of subsections 1 and 2 of this section notwithstanding, no new tax
 12 increment financing project shall be authorized in any area which is within an area designated as
 13 flood plain by the Federal Emergency Management Agency and which is located in or partly within
 14 a county with a charter form of government and with more than three hundred thousand but fewer
 15 than four hundred fifty thousand inhabitants, unless the redevelopment area actually abuts a river or
 16 a major waterway and is substantially surrounded by contiguous properties with residential,
 17 industrial, or commercial zoning classifications.

18 99.848. 1. (1) Notwithstanding subsection 1 of section 99.845, any [district or county]
 19 ambulance district board operating under chapter 190, any fire protection district board operating
 20 under chapter 321, or any governing body operating a 911 center providing dispatch services under
 21 chapter 190 or chapter 321 imposing a property tax for the purposes of providing emergency
 22 services pursuant to chapter 190 or chapter 321 shall be entitled to reimbursement from the special
 23 allocation fund in the amount of at least fifty percent but not more than one hundred percent of the
 24 district's or 911 center's tax increment. This [section] subsection shall not apply to tax increment
 25 financing projects or [districts] redevelopment areas approved prior to August 28, 2004.

26 ~~[2.]~~ (2) Beginning August 28, 2018, an ambulance district board operating under chapter
 27 190, a fire protection district board operating under chapter 321, or the governing body of a county
 28 operating a 911 center providing emergency or dispatch services under chapter 190 or chapter 321
 29 imposing a property tax for the purpose of providing emergency services pursuant to chapter 190 or
 30 chapter 321 shall annually set the reimbursement rate under this subsection [1 of this section] prior
 31 to [the time the assessment is paid into the special allocation fund] November thirtieth preceding the
 32 calendar year for which the annual reimbursement is being set. If the redevelopment plan, area, or
 33 project is amended by ordinance or by other means after August 28, 2018, the ambulance or fire
 34 protection district board or the governing body of a county operating a 911 center providing
 35 emergency or dispatch services under chapter 190 or chapter 321 shall have the right to recalculate
 36 the reimbursement rate under this [section] subdivision.

37 2. (1) Notwithstanding subsection 1 of section 99.845, any ambulance district board
 38 operating under chapter 190, any fire protection district operating under chapter 321, or any
 39 governing body operating a 911 center imposing an economic activities tax for the purposes of
 40 providing emergency services pursuant to chapter 190 or chapter 321 shall be entitled to
 41 reimbursement from the special allocation fund in the amount of at least fifty percent but not more
 42 than one hundred percent of the district's or 911 center's tax increment. This subsection shall not
 43 apply to tax increment financing projects or redevelopment areas approved prior to August 28, 2021.

44 (2) Beginning August 28, 2021, any ambulance district board operating under chapter 190,
 45 any fire protection district operating under chapter 321, or any governing body operating a 911
 46 center providing dispatch services under chapter 190 or chapter 321 shall annually set the
 47 reimbursement rate under this subsection prior to November thirtieth preceding the calendar year for
 48 which the annual reimbursement is being set. If the redevelopment plan, area, or project is
 49 amended by ordinance or by other means after August 28, 2021, the ambulance or fire protection

1 district board or the governing body of a county operating a 911 center providing emergency or
 2 dispatch services under chapter 190 or chapter 321 shall have the right to recalculate the
 3 reimbursement rate under this subdivision.

4 99.918. As used in sections 99.915 to 99.980, unless the context clearly requires otherwise,
 5 the following terms shall mean:

6 (1) "Authority", the downtown economic stimulus authority for a municipality, created
 7 pursuant to section 99.921;

8 (2) "Baseline year", the calendar year prior to the adoption of an ordinance by the
 9 municipality approving a development project; provided, however, if economic activity taxes or
 10 state sales tax revenues, from businesses other than any out-of-state business or businesses locating
 11 in the development project area, decrease in the development project area in the year following the
 12 year in which the ordinance approving a development project is approved by a municipality, the
 13 baseline year may, at the option of the municipality approving the development project, be the year
 14 following the year of the adoption of the ordinance approving the development project. When a
 15 development project area is located within a county for which public and individual assistance has
 16 been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and
 17 Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor
 18 pursuant to section 44.100 due to a natural disaster of major proportions that occurred after May 1,
 19 2003, but prior to May 10, 2003, and the development project area is a central business district that
 20 sustained severe damage as a result of such natural disaster, as determined by the state emergency
 21 management agency, the baseline year may, at the option of the municipality approving the
 22 development project, be the calendar year in which the natural disaster occurred or the year
 23 following the year in which the natural disaster occurred, provided that the municipality adopts an
 24 ordinance approving the development project within one year after the occurrence of the natural
 25 disaster;

26 (3) "Blighted area", ~~[an area which, by reason of the predominance of defective or~~
 27 ~~inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements,~~
 28 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~
 29 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~
 30 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~
 31 ~~health, safety, morals, or welfare in its present condition and use]~~ the same meaning as defined
 32 pursuant to section 99.805;

33 (4) "Central business district", the area at or near the historic core that is locally known as
 34 the "downtown" of a municipality that has a median household income of sixty-two thousand dollars
 35 or less, according to the United States Census Bureau's American Community Survey, based on the
 36 most recent of five-year period estimate data in which the final year of the estimate ends in either
 37 zero or five. In addition, at least fifty percent of existing buildings in this area will have been built
 38 in excess of thirty-five years prior or vacant lots that had prior structures built in excess of thirty-
 39 five years prior to the adoption of the ordinance approving the redevelopment plan. The historical
 40 land use emphasis of a central business district prior to redevelopment will have been a mixed use of
 41 business, commercial, financial, transportation, government, and multifamily residential uses;

42 (5) "Collecting officer", the officer of the municipality responsible for receiving and
 43 processing payments in lieu of taxes, economic activity taxes other than economic activity taxes
 44 which are local sales taxes, and other local taxes other than local sales taxes, and, for local sales
 45 taxes and state taxes, the director of revenue;

46 (6) "Conservation area", any improved area within the boundaries of a redevelopment area
 47 located within the territorial limits of a municipality in which fifty percent or more of the structures
 48 in the area have an age of thirty-five years or more, and such an area is not yet a blighted area but is
 49 detrimental to the public health, safety, morals, or welfare and may become a blighted area because

1 of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of
 2 individual structures; presence of structures below minimum code standards; abandonment;
 3 excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light
 4 or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout;
 5 depreciation of physical maintenance; and lack of community planning;

6 (7) "Development area", an area designated by a municipality in respect to which the
 7 municipality has made a finding that there exist conditions which cause the area to be classified as a
 8 blighted area or a conservation area, which area shall have the following characteristics:

9 (a) It includes only those parcels of real property directly and substantially benefitted by the
 10 proposed development plan;

11 (b) It can be renovated through one or more development projects;

12 (c) It is located in the central business district;

13 (d) It has generally suffered from declining population or property taxes for the twenty-year
 14 period immediately preceding the area's designation as a development area or has structures in the
 15 area fifty percent or more of which have an age of thirty-five years or more;

16 (e) It is contiguous, provided, however that a development area may include up to three
 17 noncontiguous areas selected for development projects, provided that each noncontiguous area
 18 meets the requirements of paragraphs (a) to (g) herein;

19 (f) The development area shall not exceed ten percent of the entire area of the municipality;
 20 and

21 (g) The development area shall not include any property that is located within the one
 22 hundred year flood plain, as designated by the Federal Emergency Management Agency flood
 23 delineation maps, unless such property is protected by a structure that is inspected and certified by
 24 the United States Army Corps of Engineers. This subdivision shall not apply to property within the
 25 one hundred year flood plain if the buildings on the property have been or will be flood proofed in
 26 accordance with the Federal Emergency Management Agency's standards for flood proofing and the
 27 property is located in a home rule city with more than one hundred fifty-one thousand five hundred
 28 but fewer than one hundred fifty-one thousand six hundred inhabitants. Only those buildings
 29 certified as being flood proofed in accordance with the Federal Emergency Management Agency's
 30 standards for flood proofing by the authority shall be eligible for the state sales tax increment and
 31 the state income tax increment. Subject to the limitation set forth in this subdivision, the
 32 development area can be enlarged or modified as provided in section 99.951;

33 (8) "Development plan", the comprehensive program of a municipality to reduce or
 34 eliminate those conditions which qualified a development area as a blighted area or a conservation
 35 area, and to thereby enhance the tax bases of the taxing districts which extend into the development
 36 area through the reimbursement, payment, or other financing of development project costs in
 37 accordance with sections 99.915 to 99.980 and through the exercise of the powers set forth in
 38 sections 99.915 to 99.980. The development plan shall conform to the requirements of section
 39 99.942;

40 (9) "Development project", any development project within a development area which
 41 constitutes a major initiative in furtherance of the objectives of the development plan, and any such
 42 development project shall include a legal description of the area selected for such development
 43 project;

44 (10) "Development project area", the area located within a development area selected for a
 45 development project;

46 (11) "Development project costs" include such costs to the development plan or a
 47 development project, as applicable, which are expended on public property, buildings, or rights-of-
 48 ways for public purposes to provide infrastructure to support a development project. Such costs
 49 shall only be allowed as an initial expense which, to be recoverable, must be included in the costs of

1 a development plan or development project, except in circumstances of plan amendments approved
2 by the Missouri development finance board and the department of economic development. Such
3 infrastructure costs include, but are not limited to, the following:

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

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

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

10 (d) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public buildings
11 and fixtures;

12 (e) Costs of construction of public works or improvements;

13 (f) Financing costs, including, but not limited to, all necessary expenses related to the
14 issuance of obligations issued to finance all or any portion of the infrastructure costs of one or more
15 development projects, and which may include capitalized interest on any such obligations and
16 reasonable reserves related to any such obligations;

17 (g) All or a portion of a taxing district's capital costs resulting from any development project
18 necessarily incurred or to be incurred in furtherance of the objectives of the development plan, to the
19 extent the municipality by written agreement accepts and approves such infrastructure costs;

20 (h) Payments to taxing districts on a pro rata basis to partially reimburse taxes diverted by
21 approval of a development project;

22 (i) State government costs, including, but not limited to, the reasonable costs incurred by the
23 department of economic development, the department of revenue and the office of administration in
24 evaluating an application for and administering state supplemental downtown development
25 financing for a development project; and

26 (j) Endowment of positions at an institution of higher education which has a designation as a
27 Carnegie Research I University including any campus of such university system, subject to the
28 provisions of section 99.958. In addition, economic activity taxes and payment in lieu of taxes may
29 be expended on or used to reimburse any reasonable or necessary costs incurred or estimated to be
30 incurred in furtherance of a development plan or a development project;

31 (12) "Economic activity taxes", the total additional revenue from taxes which are imposed
32 by the municipality and other taxing districts, and which are generated by economic activities within
33 each development project area, which are not related to the relocation of any out-of-state business
34 into the development project area, which exceed the amount of such taxes generated by economic
35 activities within such development project area in the baseline year plus, in development project
36 areas where the baseline year is the year following the year in which the development project is
37 approved by the municipality pursuant to subdivision (2) of this section, the total revenue from taxes
38 which are imposed by the municipality and other taxing districts which is generated by economic
39 activities within the development project area resulting from the relocation of an out-of-state
40 business or out-of-state businesses to the development project area pursuant to section 99.919; but
41 excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by
42 transient guests of hotels and motels, licenses, fees, or special assessments. If a retail establishment
43 relocates within one year from one facility to another facility within the same county and the
44 municipality or authority finds that the retail establishment is a direct beneficiary of development
45 financing, then for purposes of this definition, the economic activity taxes generated by the retail
46 establishment shall equal the total additional revenues from taxes which are imposed by the
47 municipality and other taxing districts which are generated by the economic activities within the
48 development project area which exceed the amount of taxes which are imposed by the municipality
49 and other taxing districts which are generated by economic activities within the development project

1 area generated by the retail establishment in the baseline year;

2 (13) "Gambling establishment", an excursion gambling boat as defined in section 313.800
3 and any related business facility including any real property improvements which are directly and
4 solely related to such business facility, whose sole purpose is to provide goods or services to an
5 excursion gambling boat and whose majority ownership interest is held by a person licensed to
6 conduct gambling games on an excursion gambling boat or licensed to operate an excursion
7 gambling boat as provided in sections 313.800 to 313.850;

8 (14) "Major initiative", a development project within a central business district that:

9 (a) Promotes tourism, cultural activities, arts, entertainment, education, research, arenas,
10 multipurpose facilities, libraries, ports, mass transit, museums, or conventions, the estimated cost of
11 which is in excess of the amount set forth below for the municipality, as applicable; or

12 (b) Promotes business location or expansion, the estimated cost of which is in excess of the
13 amount set forth below for the municipality, and is estimated to create at least as many new jobs as
14 set forth below within three years of such location or expansion:
15

Population of Municipality	Estimated Project Cost	New Jobs Created
300,000 or more	\$10,000,000	at least 100
100,000 to 299,999	\$5,000,000	at least 50
50,001 to 99,999	\$1,000,000	at least 10
50,000 or less	\$500,000	at least 5;

16
17 (15) "Municipality", any city, village, incorporated town, or any county of this state
18 established on or prior to January 1, 2001, or a census-designated place in any county designated by
19 the county for purposes of sections 99.915 to 99.1060;

20 (16) "New job", any job defined as a new job pursuant to subdivision (11) of section
21 100.710;

22 (17) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences
23 of indebtedness issued by the municipality or authority, or other public entity authorized to issue
24 such obligations pursuant to sections 99.915 to 99.980 to carry out a development project or to
25 refund outstanding obligations;

26 (18) "Ordinance", an ordinance enacted by the governing body of any municipality or an
27 order of the governing body of such a municipal entity whose governing body is not authorized to
28 enact ordinances;

29 (19) "Other net new revenues", the amount of state sales tax increment or state income tax
30 increment or the combination of the amount of each such increment as determined under section
31 99.960;

32 (20) "Out-of-state business", a business entity or operation that has been located outside of
33 the state of Missouri prior to the time it relocates to a development project area;

34 (21) "Payment in lieu of taxes", those revenues from real property in each development
35 project area, which taxing districts would have received had the municipality not adopted a
36 development plan and the municipality not adopted development financing, and which would result
37 from levies made after the time of the adoption of development financing during the time the current
38 equalized value of real property in such development project area exceeds the total equalized value
39 of real property in such development project area during the baseline year until development
40 financing for such development project area expires or is terminated pursuant to sections 99.915 to
41 99.980;

42 (22) "Special allocation fund", the fund of the municipality or its authority required to be

1 established pursuant to section 99.957 which special allocation fund shall contain at least four
2 separate segregated accounts into which payments in lieu of taxes are deposited in one account,
3 economic activity taxes are deposited in a second account, other net new revenues are deposited in a
4 third account, and other revenues, if any, received by the authority or the municipality for the
5 purpose of implementing a development plan or a development project are deposited in a fourth
6 account;

7 (23) "State income tax increment", up to fifty percent of the estimate of the income tax due
8 the state for salaries or wages paid to new employees in new jobs at a business located in the
9 development project area and created by the development project. The estimate shall be a
10 percentage of the gross payroll which percentage shall be based upon an analysis by the department
11 of revenue of the practical tax rate on gross payroll as a factor in overall taxable income;

12 (24) "State sales tax increment", up to one-half of the incremental increase in the state sales
13 tax revenue in the development project area. In no event shall the incremental increase include any
14 amounts attributable to retail sales unless the Missouri development finance board and the
15 department of economic development are satisfied based on information provided by the
16 municipality or authority, and such entities have made a finding that a substantial portion of all but a
17 de minimus portion of the sales tax increment attributable to retail sales is from new sources which
18 did not exist in the state during the baseline year. The incremental increase for an existing facility
19 shall be the amount by which the state sales tax revenue generated at the facility exceeds the state
20 sales tax revenue generated at the facility in the baseline year. The incremental increase in
21 development project areas where the baseline year is the year following the year in which the
22 development project is approved by the municipality pursuant to subdivision (2) of this section shall
23 be the state sales tax revenue generated by out-of-state businesses relocating into a development
24 project area. The incremental increase for a Missouri facility which relocates to a development
25 project area shall be the amount by which the state sales tax revenue of the facility exceeds the state
26 sales tax revenue for the facility in the calendar year prior to relocation;

27 (25) "State sales tax revenues", the general revenue portion of state sales tax revenues
28 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes
29 deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on
30 motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law;

31 (26) "Taxing district's capital costs", those costs of taxing districts for capital improvements
32 that are found by the municipal governing bodies to be necessary and to directly result from a
33 development project; and

34 (27) "Taxing districts", any political subdivision of this state having the power to levy taxes.
35 99.1082. As used in sections 99.1080 to 99.1092, unless the context clearly requires
36 otherwise, the following terms shall mean:

37 (1) "Baseline year", the calendar year prior to the adoption of an ordinance by the
38 municipality approving a redevelopment project; provided, however, if local sales tax revenues or
39 state sales tax revenues, from businesses other than any out-of-state business or businesses locating
40 in the redevelopment project area, decrease in the redevelopment project area in the year following
41 the year in which the ordinance approving a redevelopment project is approved by a municipality,
42 the baseline year may, at the option of the municipality approving the redevelopment project, be the
43 year following the year of the adoption of the ordinance approving the redevelopment project.
44 When a redevelopment project area is located within a county for which public and individual
45 assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster
46 Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the
47 governor under section 44.100 due to a natural disaster of major proportions and the redevelopment
48 project area is a central business district that sustained severe damage as a result of such natural
49 disaster, as determined by the state emergency management agency, the baseline year may, at the

1 option of the municipality approving the redevelopment project, be the calendar year in which the
 2 natural disaster occurred or the year following the year in which the natural disaster occurred,
 3 provided that the municipality adopts an ordinance approving the redevelopment project within one
 4 year after the occurrence of the natural disaster;

5 (2) "Blighted area", [~~an area which, by reason of the predominance of defective or~~
 6 ~~inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements,~~
 7 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~
 8 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~
 9 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~
 10 ~~health, safety, morals, or welfare in its present condition and use]~~ the same meaning as defined
 11 pursuant to section 99.805;

12 (3) "Central business district", the area at or near the historic core that is locally known as
 13 the "downtown" of a municipality that has a median household income of sixty-two thousand dollars
 14 or less, according to the United States Census Bureau's American Community Survey, based on the
 15 most recent of five-year period estimate data in which the final year of the estimate ends in either
 16 zero or five. In addition, at least fifty percent of existing buildings in this area will have been built
 17 in excess of thirty-five years prior or vacant lots that had prior structures built in excess of thirty-
 18 five years prior to the adoption of the ordinance approving the redevelopment plan. The historical
 19 land use emphasis of a central business district prior to redevelopment will have been a mixed use of
 20 business, commercial, financial, transportation, government, and multifamily residential uses;

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

30 (5) "Gambling establishment", an excursion gambling boat as defined in section 313.800
 31 and any related business facility including any real property improvements which are directly and
 32 solely related to such business facility, whose sole purpose is to provide goods or services to an
 33 excursion gambling boat and whose majority ownership interest is held by a person licensed to
 34 conduct gambling games on an excursion gambling boat or licensed to operate an excursion
 35 gambling boat as provided in sections 313.800 to 313.850;

36 (6) "Local sales tax increment", at least fifty percent of the local sales tax revenue from
 37 taxes that are imposed by a municipality and its county, and that are generated by economic
 38 activities within a redevelopment area over the amount of such taxes generated by economic
 39 activities within such a redevelopment area in the calendar year prior to the adoption of the
 40 ordinance designating such a redevelopment area while financing under sections 99.1080 to 99.1092
 41 remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for
 42 sleeping rooms paid by transient guests of hotels and motels, licenses, fees, or special assessments;
 43 provided however, the governing body of any county may, by resolution, exclude any portion of any
 44 countywide sales tax of such county. For redevelopment projects or redevelopment plans approved
 45 after August 28, 2005, if a retail establishment relocates within one year from one facility within the
 46 same county and the governing body of the municipality finds that the retail establishment is a direct
 47 beneficiary of tax increment financing, then for the purposes of this subdivision, the economic
 48 activity taxes generated by the retail establishment shall equal the total additional revenues from
 49 economic activity taxes that are imposed by a municipality or other taxing district over the amount

1 of economic activity taxes generated by the retail establishment in the calendar year prior to its
2 relocation to the redevelopment area;

3 (7) "Local sales tax revenue", city sales tax revenues received under sections 94.500 to
4 94.550 and county sales tax revenues received under sections 67.500 to 67.594;

5 (8) "Major initiative", a development project within a central business district which
6 promotes tourism, cultural activities, arts, entertainment, education, research, arenas, multipurpose
7 facilities, libraries, ports, mass transit, museums, economic development, or conventions for the
8 municipality, and where the capital investment within the redevelopment project area is:

9 (a) At least five million dollars for a project area within a city having a population of one
10 hundred thousand to one hundred ninety-nine thousand nine hundred and ninety-nine inhabitants;

11 (b) At least one million dollars for a project area within a city having a population of fifty
12 thousand to ninety-nine thousand nine hundred and ninety-nine inhabitants;

13 (c) At least five hundred thousand dollars for a project area within a city having a
14 population of ten thousand to forty-nine thousand nine hundred and ninety-nine inhabitants; or

15 (d) At least two hundred fifty thousand dollars for a project area within a city having a
16 population of one to nine thousand nine hundred and ninety-nine inhabitants;

17 (9) "Municipality", any city or county of this state having fewer than two hundred thousand
18 inhabitants;

19 (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences
20 of indebtedness issued by the municipality or authority, or other public entity authorized to issue
21 such obligations under sections 99.1080 to 99.1092 to carry out a redevelopment project or to refund
22 outstanding obligations;

23 (11) "Ordinance", an ordinance enacted by the governing body of any municipality;

24 (12) "Redevelopment area", an area designated by a municipality in respect to which the
25 municipality has made a finding that there exist conditions which cause the area to be classified as a
26 blighted area or a conservation area, which area shall have the following characteristics:

27 (a) It can be renovated through one or more redevelopment projects;

28 (b) It is located in the central business district;

29 (c) The redevelopment area shall not exceed ten percent of the entire geographic area of the
30 municipality. Subject to the limitation set forth in this subdivision, the redevelopment area can be
31 enlarged or modified as provided in section 99.1088;

32 (13) "Redevelopment plan", the comprehensive program of a municipality to reduce or
33 eliminate those conditions which qualify a redevelopment area as a blighted area or a conservation
34 area, and to thereby enhance the tax bases of the taxing districts which extend into the
35 redevelopment area through the reimbursement, payment, or other financing of redevelopment
36 project costs in accordance with sections 99.1080 to 99.1092 and through application for and
37 administration of downtown revitalization preservation program financing under sections 99.1080 to
38 99.1092;

39 (14) "Redevelopment project", any redevelopment project within a redevelopment area
40 which constitutes a major initiative in furtherance of the objectives of the redevelopment plan, and
41 any such redevelopment project shall include a legal description of the area selected for such
42 redevelopment project;

43 (15) "Redevelopment project area", the area located within a redevelopment area selected
44 for a redevelopment project;

45 (16) "Redevelopment project costs" include such costs to the redevelopment plan or a
46 redevelopment project, as applicable, which are expended on public property, buildings, or rights-of-
47 way for public purposes to provide infrastructure to support a redevelopment project, including
48 facades. Such costs shall only be allowed as an initial expense which, to be recoverable, must be
49 included in the costs of a redevelopment plan or redevelopment project, except in circumstances of

1 plan amendments approved by the department of economic development. Such infrastructure costs
2 include, but are not limited to, the following:

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

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

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

9 (d) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public buildings
10 and fixtures;

11 (e) Costs of construction of public works or improvements;

12 (f) Financing costs, including, but not limited to, all necessary expenses related to the
13 issuance of obligations issued to finance all or any portion of the infrastructure costs of one or more
14 redevelopment projects, and which may include capitalized interest on any such obligations and
15 reasonable reserves related to any such obligations;

16 (g) All or a portion of a taxing district's capital costs resulting from any redevelopment
17 project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment
18 plan, to the extent the municipality by written agreement accepts and approves such infrastructure
19 costs;

20 (h) Payments to taxing districts on a pro rata basis to partially reimburse taxes diverted by
21 approval of a redevelopment project when all debt is retired;

22 (i) State government costs, including, but not limited to, the reasonable costs incurred by the
23 department of economic development and the department of revenue in evaluating an application for
24 and administering downtown revitalization preservation financing for a redevelopment project;

25 (17) "State sales tax increment", up to one-half of the incremental increase in the state sales
26 tax revenue in the redevelopment project area provided the local taxing jurisdictions commit one-
27 half of their local sales tax to paying for redevelopment project costs. The incremental increase
28 shall be the amount by which the state sales tax revenue generated at the facility or within the
29 redevelopment project area exceeds the state sales tax revenue generated at the facility or within the
30 redevelopment project area in the baseline year. For redevelopment projects or redevelopment plans
31 approved after August 28, 2005, if a retail establishment relocates within one year from one facility
32 to another facility within the same county and the governing body of the municipality finds that the
33 retail establishment is a direct beneficiary of tax increment financing, then for the purposes of this
34 subdivision, the economic activity taxes generated by the retail establishment shall equal the total
35 additional revenues from economic activity taxes that are imposed by a municipality or other taxing
36 district over the amount of economic activity taxes generated by the retail establishment in the
37 calendar year prior to the relocation to the redevelopment area;

38 (18) "State sales tax revenues", the general revenue portion of state sales tax revenues
39 received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes
40 deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on
41 motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law;

42 (19) "Taxing district's capital costs", those costs of taxing districts for capital improvements
43 that are found by the municipal governing bodies to be necessary and to directly result from a
44 redevelopment project;

45 (20) "Taxing districts", any political subdivision of this state having the power to levy taxes.
46 100.310. As used in this law, the following words and terms mean:

47 (1) "Authority", a public body corporate and politic created by or pursuant to sections of this
48 law or any other public body exercising the powers, rights and duties of such an authority;

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

1 ~~inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements,~~
 2 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~
 3 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~
 4 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~
 5 ~~health, safety, morals or welfare in its present condition and use] the same meaning as defined~~
 6 ~~pursuant to section 99.805;~~

7 (3) "Bond", any bonds, including refunding bonds, notes, interim certificates, debentures or
 8 other obligations issued by an authority pursuant to this law;

9 (4) "City", all cities of this state now having or which hereafter have four hundred thousand
 10 inhabitants or more according to the last decennial census of the United States or any city that has
 11 adopted a home rule charter pursuant to Section 19 of Article VI of the Missouri Constitution;

12 (5) "Clerk", the official custodian of records of the city;

13 (6) "Federal government", the United States of America or any agency or instrumentality
 14 corporate or otherwise of the United States of America;

15 (7) "Governing body", the city council, common council, board of aldermen or other
 16 legislative body charged with governing the municipality;

17 (8) "Industrial developer", any person, partnership or public or private corporation or
 18 agency which enters or proposes to enter into an industrial development contract;

19 (9) "Industrial development", the acquisition, clearance, grading, improving, preparing of
 20 land for industrial and commercial development and use and the construction, reconstruction,
 21 purchase, repair of industrial and commercial improvements, buildings, plants, additions, stores,
 22 shops, shopping centers, office buildings, hotels and motels and parking garages, multi-family
 23 housing facilities, warehouses, distribution centers, machines, fixtures, structures and other facilities
 24 relating to industrial and commercial use in blighted, insanitary or undeveloped industrial areas; and
 25 the existing merchants, residents, and present businesses shall have the first option to redevelop the
 26 area under this act;

27 (10) "Industrial development contract", a contract entered into between an authority and an
 28 industrial developer for the industrial development of an area in conformity with a plan;

29 (11) "Insanitary area", an area in which there is a predominance of buildings and
 30 improvements which, by reason of dilapidation, deterioration, age or obsolescence, inadequate
 31 provision for ventilation, light, air, sanitation or open spaces, high density of population and
 32 overcrowding of buildings, overcrowding of land, or the existence of conditions which endanger life
 33 or property by fire and other causes, or any combination of such factors, is conducive to ill health,
 34 transmission of disease, infant mortality, juvenile delinquency and crime or constitutes an economic
 35 or social liability and is detrimental to the public health, safety, morals or welfare;

36 (12) "Obligee", any bondholders, agents or trustees for any bondholders, lessor demising to
 37 the authority property used in connection with industrial clearance project, or any assignee or
 38 assignees of the lessor's interest or any part thereof, and the federal government when it is a party to
 39 any contract with the authority;

40 (13) "Person", any individual, firm, partnership, corporation, company, association, joint
 41 stock association, or body politic; and shall include any trustee, receiver, assignee or other similar
 42 representative thereof;

43 (14) "Plan", a plan as it exists from time to time for the orderly carrying on of a project of
 44 industrial development;

45 (15) "Project", any work or undertaking:

46 (a) To acquire blighted, insanitary and undeveloped industrial areas or portions thereof
 47 including lands, structures or improvements the acquisition of which is necessary or incidental to the
 48 proper industrial development of the blighted, insanitary and undeveloped industrial areas or to
 49 prevent the spread or recurrence of conditions of blight, insanitary or undevelopment;

1 (b) To clear any such areas by demolition or removal of existing buildings, structures,
2 streets, utilities or other improvements thereon and to install, construct or reconstruct streets,
3 utilities and site improvements essential to the preparation of sites for uses in accordance with a
4 plan;

5 (c) To construct, reconstruct, remodel, repair, improve, install improvements, buildings,
6 plants, additions, stores, shops, shopping centers, office buildings, hotels and motels and parking
7 garages, multi-family housing facilities, warehouses, distribution centers, machines, fixtures,
8 structures and other facilities related to industrial and commercial uses;

9 (d) To sell, lease or otherwise make available land in such areas for industrial and
10 commercial or related use or to retain such land for public use, in accordance with a plan;

11 (16) "Public body", the state or any municipality, county, township, board, commission,
12 authority, district or any other subdivision of the state;

13 (17) "Real property", all lands, including improvements and fixtures thereon, and property
14 of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and
15 right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage
16 or otherwise and the indebtedness secured by such liens;

17 (18) "Undeveloped industrial area", any area which, by reason of defective and inadequate
18 street layout or location of physical improvements, obsolescence and inadequate subdivision and
19 platting contains vacant parcels of land not used economically; contains old, decaying, obsolete
20 buildings, plants, stores, shops, shopping centers, office buildings, hotels and motels and parking
21 garages, warehouses, distribution centers, structures; contains buildings, plants, stores, shops,
22 shopping centers, office buildings, hotels and motels and parking garages, multi-family housing
23 facilities, warehouses, distribution centers and structures whose operation is not economically
24 feasible; contains intermittent commercial and industrial structures in a primarily industrial or
25 commercial area; or contains insufficient space for the expansion and efficient use of land for
26 industrial plants and commercial uses amounting to conditions which retard economic or social
27 growth, are economic waste and social liabilities and represent an inability to pay reasonable taxes
28 to the detriment and injury of the public health, safety, morals and welfare.

29 135.950. The following terms, whenever used in sections 135.950 to 135.970 mean:

30 (1) "Average wage", the new payroll divided by the number of new jobs;

31 (2) "Blighted area", ~~[an area which, by reason of the predominance of defective or~~
32 ~~inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements,~~
33 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~
34 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~
35 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~
36 ~~health, safety, morals, or welfare in its present condition and use. The term "blighted area" shall~~
37 ~~also include any area which produces or generates or has the potential to produce or generate~~
38 ~~electrical energy from a renewable energy resource, and which, by reason of obsolescence,~~
39 ~~decadence, blight, dilapidation, deteriorating or inadequate site improvements, substandard~~
40 ~~conditions, the predominance or defective or inadequate street layout, unsanitary or unsafe~~
41 ~~conditions, improper subdivision or obsolete platting, or the existence of conditions which endanger~~
42 ~~the life or property by fire or other means, or any combination of such factors, is underutilized,~~
43 ~~unutilized, or diminishes the economic usefulness of the land, improvements, or lock and dam site~~
44 ~~within such area for the production, generation, conversion, and conveyance of electrical energy~~
45 ~~from a renewable energy resource] the same meaning as defined pursuant to section 99.805;~~

46 (3) "Board", an enhanced enterprise zone board established pursuant to section 135.957;

47 (4) "Commencement of commercial operations" shall be deemed to occur during the first
48 taxable year for which the new business facility is first put into use by the taxpayer in the enhanced
49 business enterprise in which the taxpayer intends to use the new business facility;

1 (5) "County average wage", the average wages in each county as determined by the
2 department for the most recently completed full calendar year. However, if the computed county
3 average wage is above the statewide average wage, the statewide average wage shall be deemed the
4 county average wage for such county for the purpose of determining eligibility. The department
5 shall publish the county average wage for each county at least annually. Notwithstanding the
6 provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project
7 is relocating employees from a Missouri county with a higher county average wage, such taxpayer
8 shall obtain the endorsement of the governing body of the community from which jobs are being
9 relocated or the county average wage for their project shall be the county average wage for the
10 county from which the employees are being relocated;

11 (6) "Department", the department of economic development;

12 (7) "Director", the director of the department of economic development;

13 (8) "Employee", a person employed by the enhanced business enterprise that is scheduled to
14 work an average of at least one thousand hours per year, and such person at all times has health
15 insurance offered to him or her, which is partially paid for by the employer;

16 (9) "Enhanced business enterprise", an industry or one of a cluster of industries that is
17 either:

18 (a) Identified by the department as critical to the state's economic security and growth; or

19 (b) Will have an impact on industry cluster development, as identified by the governing
20 authority in its application for designation of an enhanced enterprise zone and approved by the
21 department; but excluding gambling establishments (NAICS industry group 7132), retail trade
22 (NAICS sectors 44 and 45), educational services (NAICS sector 61), religious organizations
23 (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking
24 places (NAICS subsector 722), however, notwithstanding provisions of this section to the contrary,
25 headquarters or administrative offices of an otherwise excluded business may qualify for benefits if
26 the offices serve a multistate territory. In the event a national, state, or regional headquarters
27 operation is not the predominant activity of a project facility, the new jobs and investment of such
28 headquarters operation is considered eligible for benefits under this section if the other requirements
29 are satisfied. Service industries may be eligible only if a majority of its annual revenues will be
30 derived from out of the state;

31 (10) "Existing business facility", any facility in this state which was employed by the
32 taxpayer claiming the credit in the operation of an enhanced business enterprise immediately prior
33 to an expansion, acquisition, addition, or replacement;

34 (11) "Facility", any building used as an enhanced business enterprise located within an
35 enhanced enterprise zone, including the land on which the facility is located and all machinery,
36 equipment, and other real and depreciable tangible personal property acquired for use at and located
37 at or within such facility and used in connection with the operation of such facility;

38 (12) "Facility base employment", the greater of the number of employees located at the
39 facility on the date of the notice of intent, or for the twelve-month period prior to the date of the
40 notice of intent, the average number of employees located at the facility, or in the event the project
41 facility has not been in operation for a full twelve-month period, the average number of employees
42 for the number of months the facility has been in operation prior to the date of the notice of intent;

43 (13) "Facility base payroll", the total amount of taxable wages paid by the enhanced
44 business enterprise to employees of the enhanced business enterprise located at the facility in the
45 twelve months prior to the notice of intent, not including the payroll of owners of the enhanced
46 business enterprise unless the enhanced business enterprise is participating in an employee stock
47 ownership plan. For the purposes of calculating the benefits under this program, the amount of base
48 payroll shall increase each year based on the consumer price index or other comparable measure, as
49 determined by the department;

1 (14) "Governing authority", the body holding primary legislative authority over a county or
2 incorporated municipality;

3 (15) "Megaproject", any manufacturing or assembling facility, approved by the department
4 for construction and operation within an enhanced enterprise zone, which satisfies the following:

5 (a) The new capital investment is projected to exceed three hundred million dollars over a
6 period of eight years from the date of approval by the department;

7 (b) The number of new jobs is projected to exceed one thousand over a period of eight years
8 beginning on the date of approval by the department;

9 (c) The average wage of new jobs to be created shall exceed the county average wage;

10 (d) The taxpayer shall offer health insurance to all new jobs and pay at least eighty percent
11 of such insurance premiums; and

12 (e) An acceptable plan of repayment, to the state, of the tax credits provided for the
13 megaproject has been provided by the taxpayer;

14 (16) "NAICS", the 1997 edition of the North American Industry Classification System as
15 prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS
16 sector, subsector, industry group or industry identified in this section shall include its corresponding
17 classification in subsequent federal industry classification systems;

18 (17) "New business facility", a facility that does not produce or generate electrical energy
19 from a renewable energy resource and satisfies the following requirements:

20 (a) Such facility is employed by the taxpayer in the operation of an enhanced business
21 enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer
22 if the taxpayer's only activity with respect to such facility is to lease it to another person or persons.
23 If the taxpayer employs only a portion of such facility in the operation of an enhanced business
24 enterprise, and leases another portion of such facility to another person or persons or does not
25 otherwise use such other portions in the operation of an enhanced business enterprise, the portion
26 employed by the taxpayer in the operation of an enhanced business enterprise shall be considered a
27 new business facility, if the requirements of paragraphs (b), (c), and (d) of this subdivision are
28 satisfied;

29 (b) Such facility is acquired by, or leased to, the taxpayer after December 31, 2004. A
30 facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31,
31 2004, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract
32 to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs
33 after December 31, 2004;

34 (c) If such facility was acquired by the taxpayer from another taxpayer and such facility was
35 employed immediately prior to the acquisition by another taxpayer in the operation of an enhanced
36 business enterprise, the operation of the same or a substantially similar enhanced business enterprise
37 is not continued by the taxpayer at such facility; and

38 (d) Such facility is not a replacement business facility, as defined in subdivision (27) of this
39 section;

40 (18) "New business facility employee", an employee of the taxpayer in the operation of a
41 new business facility during the taxable year for which the credit allowed by section 135.967 is
42 claimed, except that truck drivers and rail and barge vehicle operators and other operators of rolling
43 stock for hire shall not constitute new business facility employees;

44 (19) "New business facility investment", the value of real and depreciable tangible personal
45 property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer
46 in the operation of the new business facility, during the taxable year for which the credit allowed by
47 135.967 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles,
48 aircraft and other rolling stock for hire, track, switches, barges, bridges, tunnels, and rail yards and
49 spurs shall not constitute new business facility investments. The total value of such property during

1 such taxable year shall be:

2 (a) Its original cost if owned by the taxpayer; or

3 (b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental
4 rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the
5 taxpayer from subrentals. The new business facility investment shall be determined by dividing by
6 twelve the sum of the total value of such property on the last business day of each calendar month of
7 the taxable year. If the new business facility is in operation for less than an entire taxable year, the
8 new business facility investment shall be determined by dividing the sum of the total value of such
9 property on the last business day of each full calendar month during the portion of such taxable year
10 during which the new business facility was in operation by the number of full calendar months
11 during such period;

12 (20) "New job", the number of employees located at the facility that exceeds the facility
13 base employment less any decrease in the number of the employees at related facilities below the
14 related facility base employment. No job that was created prior to the date of the notice of intent
15 shall be deemed a new job;

16 (21) "Notice of intent", a form developed by the department which is completed by the
17 enhanced business enterprise and submitted to the department which states the enhanced business
18 enterprise's intent to hire new jobs and request benefits under such program;

19 (22) "Related facility", a facility operated by the enhanced business enterprise or a related
20 company in this state that is directly related to the operation of the project facility;

21 (23) "Related facility base employment", the greater of:

22 (a) The number of employees located at all related facilities on the date of the notice of
23 intent; or

24 (b) For the twelve-month period prior to the date of the notice of intent, the average number
25 of employees located at all related facilities of the enhanced business enterprise or a related
26 company located in this state;

27 (24) "Related taxpayer":

28 (a) A corporation, partnership, trust, or association controlled by the taxpayer;

29 (b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or

30 (c) A corporation, partnership, trust or association controlled by an individual, corporation,
31 partnership, trust or association in control of the taxpayer. "Control of a corporation" shall mean
32 ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined
33 voting power of all classes of stock entitled to vote, "control of a partnership or association" shall
34 mean ownership of at least fifty percent of the capital or profits interest in such partnership or
35 association, and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty
36 percent of the beneficial interest in the principal or income of such trust; ownership shall be
37 determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

38 (25) "Renewable energy generation zone", an area which has been found, by a resolution or
39 ordinance adopted by the governing authority having jurisdiction of such area, to be a blighted area
40 and which contains land, improvements, or a lock and dam site which is unutilized or underutilized
41 for the production, generation, conversion, and conveyance of electrical energy from a renewable
42 energy resource;

43 (26) "Renewable energy resource", shall include:

44 (a) Wind;

45 (b) Solar thermal sources or photovoltaic cells and panels;

46 (c) Dedicated crops grown for energy production;

47 (d) Cellulosic agricultural residues;

48 (e) Plant residues;

49 (f) Methane from landfills, agricultural operations, or wastewater treatment;

- 1 (g) Thermal depolymerization or pyrolysis for converting waste material to energy;
 2 (h) Clean and untreated wood such as pallets;
 3 (i) Hydroelectric power, which shall include electrical energy produced or generated by
 4 hydroelectric power generating equipment, as such term is defined in section 137.010;
 5 (j) Fuel cells using hydrogen produced by one or more of the renewable resources provided
 6 in paragraphs (a) to (i) of this subdivision; or
 7 (k) Any other sources of energy, not including nuclear energy, that are certified as renewable
 8 by rule by the department of economic development;

9 (27) "Replacement business facility", a facility otherwise described in subdivision (17) of
 10 this section, hereafter referred to in this subdivision as "new facility", which replaces another
 11 facility, hereafter referred to in this subdivision as "old facility", located within the state, which the
 12 taxpayer or a related taxpayer previously operated but discontinued operating on or before the close
 13 of the first taxable year for which the credit allowed by this section is claimed. A new facility shall
 14 be deemed to replace an old facility if the following conditions are met:

15 (a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's
 16 or related taxpayer's taxable period immediately preceding the taxable year in which
 17 commencement of commercial operations occurs at the new facility; and

18 (b) The old facility was employed by the taxpayer or a related taxpayer in the operation of
 19 an enhanced business enterprise and the taxpayer continues the operation of the same or
 20 substantially similar enhanced business enterprise at the new facility. Notwithstanding the
 21 preceding provisions of this subdivision, a facility shall not be considered a replacement business
 22 facility if the taxpayer's new business facility investment, as computed in subdivision (19) of this
 23 section, in the new facility during the tax period for which the credits allowed in section 135.967 are
 24 claimed exceed one million dollars and if the total number of employees at the new facility exceeds
 25 the total number of employees at the old facility by at least two;

26 (28) "Same or substantially similar enhanced business enterprise", an enhanced business
 27 enterprise in which the nature of the products produced or sold, or activities conducted, are similar
 28 in character and use or are produced, sold, performed, or conducted in the same or similar manner as
 29 in another enhanced business enterprise.

30 137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's
 31 deputies in all counties of this state including the City of St. Louis shall annually make a list of all
 32 real and tangible personal property taxable in the assessor's city, county, town or district. Except as
 33 otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually
 34 assess all personal property at thirty-three and one-third percent of its true value in money as of
 35 January first of each calendar year. The assessor shall annually assess all real property, including
 36 any new construction and improvements to real property, and possessory interests in real property at
 37 the percent of its true value in money set in subsection 5 of this section. The true value in money of
 38 any possessory interest in real property in subclass (3), where such real property is on or lies within
 39 the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5,
 40 of a commercial airport having a FAR Part 139 certification and owned by a political subdivision,
 41 shall be the otherwise applicable true value in money of any such possessory interest in real
 42 property, less the total dollar amount of costs paid by a party, other than the political subdivision,
 43 towards any new construction or improvements on such real property completed after January 1,
 44 2008, and which are included in the above-mentioned possessory interest, regardless of the year in
 45 which such costs were incurred or whether such costs were considered in any prior year. The
 46 assessor shall annually assess all real property in the following manner: new assessed values shall
 47 be determined as of January first of each odd-numbered year and shall be entered in the assessor's
 48 books; those same assessed values shall apply in the following even-numbered year, except for new
 49 construction and property improvements which shall be valued as though they had been completed

1 as of January first of the preceding odd-numbered year. The assessor may call at the office, place of
 2 doing business, or residence of each person required by this chapter to list property, and require the
 3 person to make a correct statement of all taxable tangible personal property owned by the person or
 4 under his or her care, charge or management, taxable in the county. On or before January first of
 5 each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance
 6 plan to the county governing body and the state tax commission for their respective approval or
 7 modification. The county governing body shall approve and forward such plan or its alternative to
 8 the plan to the state tax commission by February first. If the county governing body fails to forward
 9 the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan
 10 shall be considered approved by the county governing body. If the state tax commission fails to
 11 approve a plan and if the state tax commission and the assessor and the governing body of the
 12 county involved are unable to resolve the differences, in order to receive state cost-share funds
 13 outlined in section 137.750, the county or the assessor shall petition the administrative hearing
 14 commission, by May first, to decide all matters in dispute regarding the assessment maintenance
 15 plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with
 16 mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative
 17 hearing commission shall be subject to judicial review in the circuit court of the county involved. In
 18 the event a valuation of subclass (1) real property within any county with a charter form of
 19 government, or within a city not within a county, is made by a computer, computer-assisted method
 20 or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to
 21 sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless
 22 the assessor proves otherwise, there shall be a presumption that the assessment was made by a
 23 computer, computer-assisted method or a computer program. Such evidence shall include, but shall
 24 not be limited to, the following:

25 (1) The findings of the assessor based on an appraisal of the property by generally accepted
 26 appraisal techniques; and

27 (2) The purchase prices from sales of at least three comparable properties and the address or
 28 location thereof. As used in this subdivision, the word "comparable" means that:

29 (a) Such sale was closed at a date relevant to the property valuation; and

30 (b) Such properties are not more than one mile from the site of the disputed property, except
 31 where no similar properties exist within one mile of the disputed property, the nearest comparable
 32 property shall be used. Such property shall be within five hundred square feet in size of the disputed
 33 property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant
 34 characteristics.

35 2. Assessors in each county of this state and the City of St. Louis may send personal
 36 property assessment forms through the mail.

37 3. The following items of personal property shall each constitute separate subclasses of
 38 tangible personal property and shall be assessed and valued for the purposes of taxation at the
 39 following percentages of their true value in money:

40 (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one
 41 percent;

42 (2) Livestock, twelve percent;

43 (3) Farm machinery, twelve percent;

44 (4) Motor vehicles which are eligible for registration as and are registered as historic motor
 45 vehicles ~~[pursuant to]~~ under section 301.131 and aircraft which are at least twenty-five years old and
 46 which are used solely for noncommercial purposes and are operated less than ~~[fifty]~~ two hundred
 47 hours per year or aircraft that are home built from a kit, five percent;

48 (5) Poultry, twelve percent; and

49 (6) Tools and equipment used for pollution control and tools and equipment used in

1 retooling for the purpose of introducing new product lines or used for making improvements to
2 existing products by any company which is located in a state enterprise zone and which is identified
3 by any standard industrial classification number cited in subdivision (7) of section 135.200, twenty-
4 five percent.

5 4. The person listing the property shall enter a true and correct statement of the property, in
6 a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and
7 either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the
8 assessor.

9 5. (1) All subclasses of real property, as such subclasses are established in Section 4(b) of
10 Article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the
11 following percentages of true value:

12 (a) For real property in subclass (1), nineteen percent;

13 (b) For real property in subclass (2), twelve percent; and

14 (c) For real property in subclass (3), thirty-two percent.

15 (2) A taxpayer may apply to the county assessor, or, if not located within a county, then the
16 assessor of such city, for the reclassification of such taxpayer's real property if the use or purpose of
17 such real property is changed after such property is assessed under the provisions of this chapter. If
18 the assessor determines that such property shall be reclassified, he or she shall determine the
19 assessment under this subsection based on the percentage of the tax year that such property was
20 classified in each subclassification.

21 6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling
22 units shall be assessed at the same percentage of true value as residential real property for the
23 purpose of taxation. The percentage of assessment of true value for such manufactured homes shall
24 be the same as for residential real property. If the county collector cannot identify or find the
25 manufactured home when attempting to attach the manufactured home for payment of taxes owed
26 by the manufactured home owner, the county collector may request the county commission to have
27 the manufactured home removed from the tax books, and such request shall be granted within thirty
28 days after the request is made; however, the removal from the tax books does not remove the tax
29 lien on the manufactured home if it is later identified or found. For purposes of this section, a
30 manufactured home located in a manufactured home rental park, rental community or on real estate
31 not owned by the manufactured home owner shall be considered personal property. For purposes of
32 this section, a manufactured home located on real estate owned by the manufactured home owner
33 may be considered real property.

34 7. Each manufactured home assessed shall be considered a parcel for the purpose of
35 reimbursement ~~[pursuant to]~~ under section 137.750, unless the manufactured home is deemed to be
36 real estate ~~[as defined in]~~ under subsection 7 of section 442.015 and assessed as a realty
37 improvement to the existing real estate parcel.

38 8. Any amount of tax due and owing based on the assessment of a manufactured home shall
39 be included on the personal property tax statement of the manufactured home owner unless the
40 manufactured home is deemed to be real estate ~~[as defined in]~~ under subsection 7 of section
41 442.015, in which case the amount of tax due and owing on the assessment of the manufactured
42 home as a realty improvement to the existing real estate parcel shall be included on the real property
43 tax statement of the real estate owner.

44 9. The assessor of each county and each city not within a county shall use the trade-in value
45 published in the October issue of the National Automobile Dealers' Association Official Used Car
46 Guide, or its successor publication, as the recommended guide of information for determining the
47 true value of motor vehicles described in such publication. The assessor shall not use a value that is
48 greater than the average trade-in value in determining the true value of the motor vehicle without
49 performing a physical inspection of the motor vehicle. For vehicles two years old or newer from a

1 vehicle's model year, the assessor may use a value other than average without performing a physical
2 inspection of the motor vehicle. In the absence of a listing for a particular motor vehicle in such
3 publication, the assessor shall use such information or publications which in the assessor's judgment
4 will fairly estimate the true value in money of the motor vehicle.

5 10. Before the assessor may increase the assessed valuation of any parcel of subclass (1)
6 real property by more than fifteen percent since the last assessment, excluding increases due to new
7 construction or improvements, the assessor shall conduct a physical inspection of such property.

8 11. If a physical inspection is required, ~~[pursuant to]~~ under subsection 10 of this section, the
9 assessor shall notify the property owner of that fact in writing and shall provide the owner clear
10 written notice of the owner's rights relating to the physical inspection. If a physical inspection is
11 required, the property owner may request that an interior inspection be performed during the
12 physical inspection. The owner shall have no less than thirty days to notify the assessor of a request
13 for an interior physical inspection.

14 12. A physical inspection, as required by subsection 10 of this section, shall include, but not
15 be limited to, an on-site personal observation and review of all exterior portions of the land and any
16 buildings and improvements to which the inspector has or may reasonably and lawfully gain
17 external access, and shall include an observation and review of the interior of any buildings or
18 improvements on the property upon the timely request of the owner ~~[pursuant to]~~ under subsection
19 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be
20 considered sufficient to constitute a physical inspection as required by this section.

21 13. A county or city collector may accept credit cards as proper form of payment of
22 outstanding property tax or license due. No county or city collector may charge surcharge for
23 payment by credit card which exceeds the fee or surcharge charged by the credit card bank,
24 processor, or issuer for its service. A county or city collector may accept payment by electronic
25 transfers of funds in payment of any tax or license and charge the person making such payment a fee
26 equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

27 14. Any county or city not within a county in this state may, by an affirmative vote of the
28 governing body of such county, opt out of the provisions of this section and sections 137.073,
29 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second
30 regular session and section 137.073 as modified by house committee substitute for senate substitute
31 for senate committee substitute for senate bill no. 960, ninety-second general assembly, second
32 regular session, for the next year of the general reassessment, prior to January first of any year. No
33 county or city not within a county shall exercise this opt-out provision after implementing the
34 provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no.
35 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by
36 house committee substitute for senate substitute for senate committee substitute for senate bill no.
37 960, ninety-second general assembly, second regular session, in a year of general reassessment. For
38 the purposes of applying the provisions of this subsection, a political subdivision contained within
39 two or more counties where at least one of such counties has opted out and at least one of such
40 counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house
41 bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a
42 city not within a county or a county that has opted out under the provisions of this subsection may
43 choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as
44 enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and
45 section 137.073 as modified by house committee substitute for senate substitute for senate
46 committee substitute for senate bill no. 960, ninety-second general assembly, second regular session,
47 for the next year of general reassessment, by an affirmative vote of the governing body prior to
48 December thirty-first of any year.

49 15. The governing body of any city of the third classification with more than twenty-six

1 thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any
 2 county that has exercised its authority to opt out under subsection 14 of this section may levy
 3 separate and differing tax rates for real and personal property only if such city bills and collects its
 4 own property taxes or satisfies the entire cost of the billing and collection of such separate and
 5 differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

6 16. Any portion of real property that is available as reserve for strip, surface, or coal mining
 7 for minerals for purposes of excavation for future use or sale to others that has not been bonded and
 8 permitted under chapter 444 shall be assessed based upon how the real property is currently being
 9 used. Any information provided to a county assessor, state tax commission, state agency, or
 10 political subdivision responsible for the administration of tax policies shall, in the performance of its
 11 duties, make available all books, records, and information requested, except such books, records,
 12 and information as are by law declared confidential in nature, including individually identifiable
 13 information regarding a specific taxpayer or taxpayer's mine property. For purposes of this
 14 subsection, "mine property" shall mean all real property that is in use or readily available as a
 15 reserve for strip, surface, or coal mining for minerals for purposes of excavation for current or future
 16 use or sale to others that has been bonded and permitted under chapter 444."; and

17
 18 Further amend said bill, Page 11, Section 143.031, Line 11, by inserting after all of said section and
 19 line the following:

20
 21 "143.121. 1. The Missouri adjusted gross income of a resident individual shall be the
 22 taxpayer's federal adjusted gross income subject to the modifications in this section.

23 2. There shall be added to the taxpayer's federal adjusted gross income:

24 (1) The amount of any federal income tax refund received for a prior year which resulted in
 25 a Missouri income tax benefit. The amount added pursuant to this subdivision shall not include any
 26 amount of a federal income tax refund attributable to a tax credit reducing a taxpayer's federal tax
 27 liability pursuant to Public Law 116-136 or 116-260, enacted by the 116th United States Congress,
 28 for the tax year beginning on or after January 1, 2020, and ending on or before December 31, 2020,
 29 and deducted from Missouri adjusted gross income pursuant to section 143.171. The amount added
 30 under this subdivision shall also not include any amount of a federal income tax refund attributable
 31 to a tax credit reducing a taxpayer's federal tax liability under any other federal law that provides
 32 direct economic impact payments to taxpayers to mitigate financial challenges related to the
 33 COVID-19 pandemic, and deducted from Missouri adjusted gross income under section 143.171;

34 (2) Interest on certain governmental obligations excluded from federal gross income by 26
 35 U.S.C. Section 103 of the Internal Revenue Code, as amended. The previous sentence shall not
 36 apply to interest on obligations of the state of Missouri or any of its political subdivisions or
 37 authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this
 38 section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable
 39 to such interest that would have been deductible in computing the taxable income of the taxpayer
 40 except only for the application of 26 U.S.C. Section 265 of the Internal Revenue Code, as amended.
 41 The reduction shall only be made if it is at least five hundred dollars;

42 (3) The amount of any deduction that is included in the computation of federal taxable
 43 income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the Job
 44 Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property
 45 purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted
 46 exceeds the amount that would have been deductible pursuant to 26 U.S.C. Section 168 of the
 47 Internal Revenue Code of 1986 as in effect on January 1, 2002;

48 (4) The amount of any deduction that is included in the computation of federal taxable
 49 income for net operating loss allowed by 26 U.S.C. Section 172 of the Internal Revenue Code of

1 1986, as amended, other than the deduction allowed by 26 U.S.C. Section 172(b)(1)(G) and 26
2 U.S.C. Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the
3 taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a
4 period of more than twenty years and carries backward for more than two years. Any amount of net
5 operating loss taken against federal taxable income but disallowed for Missouri income tax purposes
6 pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any
7 income on the Missouri income tax return for a period of not more than twenty years from the year
8 of the initial loss; and

9 (5) For nonresident individuals in all taxable years ending on or after December 31, 2006,
10 the amount of any property taxes paid to another state or a political subdivision of another state for
11 which a deduction was allowed on such nonresident's federal return in the taxable year unless such
12 state, political subdivision of a state, or the District of Columbia allows a subtraction from income
13 for property taxes paid to this state for purposes of calculating income for the income tax for such
14 state, political subdivision of a state, or the District of Columbia;

15 (6) For all tax years beginning on or after January 1, 2018, any interest expense paid or
16 accrued in a previous taxable year, but allowed as a deduction under 26 U.S.C. Section 163, as
17 amended, in the current taxable year by reason of the carryforward of disallowed business interest
18 provisions of 26 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest
19 expense is considered paid or accrued only in the first taxable year the deduction would have been
20 allowable under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section
21 163(j), as amended, did not exist.

22 3. There shall be subtracted from the taxpayer's federal adjusted gross income the following
23 amounts to the extent included in federal adjusted gross income:

24 (1) Interest received on deposits held at a federal reserve bank or interest or dividends on
25 obligations of the United States and its territories and possessions or of any authority, commission or
26 instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the
27 laws of the United States. The amount subtracted pursuant to this subdivision shall be reduced by
28 any interest on indebtedness incurred to carry the described obligations or securities and by any
29 expenses incurred in the production of interest or dividend income described in this subdivision.
30 The reduction in the previous sentence shall only apply to the extent that such expenses including
31 amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross
32 income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made
33 if the expenses total at least five hundred dollars;

34 (2) The portion of any gain, from the sale or other disposition of property having a higher
35 adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax
36 purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is
37 considered a long-term capital gain for federal income tax purposes, the modification shall be
38 limited to one-half of such portion of the gain;

39 (3) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or
40 other amount of income or gain which was properly included in income or gain and was taxed
41 pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a
42 decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or
43 to a trust or estate from which the taxpayer received the income or gain;

44 (4) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the
45 extent that the same are included in federal adjusted gross income;

46 (5) The amount of any state income tax refund for a prior year which was included in the
47 federal adjusted gross income;

48 (6) The portion of capital gain specified in section 135.357 that would otherwise be included
49 in federal adjusted gross income;

1 (7) The amount that would have been deducted in the computation of federal taxable income
2 pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to
3 the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003,
4 and to the extent that amount exceeds the amount actually deducted pursuant to 26 U.S.C. Section
5 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of
6 2002;

7 (8) For all tax years beginning on or after January 1, 2005, the amount of any income
8 received for military service while the taxpayer serves in a combat zone which is included in federal
9 adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat
10 zone" means any area which the President of the United States by Executive Order designates as an
11 area in which Armed Forces of the United States are or have engaged in combat. Service is
12 performed in a combat zone only if performed on or after the date designated by the President by
13 Executive Order as the date of the commencing of combat activities in such zone, and on or before
14 the date designated by the President by Executive Order as the date of the termination of combatant
15 activities in such zone;

16 (9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is
17 sold or otherwise disposed of during a taxable year by a taxpayer and for which an additional
18 modification was made under subdivision (3) of subsection 2 of this section, the amount by which
19 additional modification made under subdivision (3) of subsection 2 of this section on qualified
20 property has not been recovered through the additional subtractions provided in subdivision (7) of
21 this subsection;

22 (10) For all tax years beginning on or after January 1, 2014, the amount of any income
23 received as payment from any program which provides compensation to agricultural producers who
24 have suffered a loss as the result of a disaster or emergency, including the:

- 25 (a) Livestock Forage Disaster Program;
- 26 (b) Livestock Indemnity Program;
- 27 (c) Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish;
- 28 (d) Emergency Conservation Program;
- 29 (e) Noninsured Crop Disaster Assistance Program;
- 30 (f) Pasture, Rangeland, Forage Pilot Insurance Program;
- 31 (g) Annual Forage Pilot Program;
- 32 (h) Livestock Risk Protection Insurance Plan; and
- 33 (i) Livestock Gross Margin Insurance Plan; and

34 (11) For all tax years beginning on or after January 1, 2018, any interest expense paid or
35 accrued in the current taxable year, but not deducted as a result of the limitation imposed under 26
36 U.S.C. Section 163(j), as amended. For the purposes of this subdivision, an interest expense is
37 considered paid or accrued only in the first taxable year the deduction would have been allowable
38 under 26 U.S.C. Section 163, as amended, if the limitation under 26 U.S.C. Section 163(j), as
39 amended, did not exist.

40 4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income
41 the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

42 5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income
43 the modifications provided in section 143.411.

44 6. In addition to the modifications to a taxpayer's federal adjusted gross income in this
45 section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's
46 federal adjusted gross income any gain recognized pursuant to 26 U.S.C. Section 1033 of the
47 Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of
48 property as a result of condemnation or the imminence thereof.

49 7. (1) As used in this subsection, "qualified health insurance premium" means the amount

1 paid during the tax year by such taxpayer for any insurance policy primarily providing health care
2 coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

3 (2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the
4 amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal
5 adjusted gross income to the extent the amount paid for such premiums is included in federal
6 taxable income. The taxpayer shall provide the department of revenue with proof of the amount of
7 qualified health insurance premiums paid.

8 8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this section,
9 one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an
10 entity certified by the department of natural resources under section 640.153 or the implementation
11 of any energy efficiency recommendations made in such an audit shall be subtracted from the
12 taxpayer's federal adjusted gross income to the extent the amount paid for any such activity is
13 included in federal taxable income. The taxpayer shall provide the department of revenue with a
14 summary of any recommendations made in a qualified home energy audit, the name and
15 certification number of the qualified home energy auditor who conducted the audit, and proof of the
16 amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer
17 shall also provide a copy of the summary of any recommendations made in a qualified home energy
18 audit to the department of natural resources.

19 (2) At no time shall a deduction claimed under this subsection by an individual taxpayer or
20 taxpayers filing combined returns exceed one thousand dollars per year for individual taxpayers or
21 cumulatively exceed two thousand dollars per year for taxpayers filing combined returns.

22 (3) Any deduction claimed under this subsection shall be claimed for the tax year in which
23 the qualified home energy audit was conducted or in which the implementation of the energy
24 efficiency recommendations occurred. If implementation of the energy efficiency recommendations
25 occurred during more than one year, the deduction may be claimed in more than one year, subject to
26 the limitations provided under subdivision (2) of this subsection.

27 (4) A deduction shall not be claimed for any otherwise eligible activity under this subsection
28 if such activity qualified for and received any rebate or other incentive through a state-sponsored
29 energy program or through an electric corporation, gas corporation, electric cooperative, or
30 municipally owned utility.

31 9. The provisions of subsection 8 of this section shall expire on December 31, 2020."; and
32

33 Further amend said bill, Page 11, Section 143.131, Line 12, by inserting after all of said section and
34 line the following:
35

36 "143.171. 1. For all tax years beginning on or after January 1, 1994, and ending on or
37 before December 31, 2018, an individual taxpayer shall be allowed a deduction for his or her federal
38 income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for
39 which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's
40 return or ten thousand dollars on a combined return, after reduction for all credits thereon, except
41 the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax,
42 and the credits allowed by the Internal Revenue Code by 26 U.S.C. Section 31, 26 U.S.C. Section
43 27, and 26 U.S.C. Section 34.

44 2. (1) Notwithstanding any other provision of law to the contrary, for all tax years
45 beginning on or after January 1, 2019, an individual taxpayer shall be allowed a deduction equal to a
46 percentage of his or her federal income tax liability under Chapter 1 of the Internal Revenue Code
47 for the same taxable year for which the Missouri return is being filed, not to exceed five thousand
48 dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for
49 all credits thereon, except the credit for payments of federal estimated tax, the credit for the

1 overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26 U.S.C.
 2 Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34. The deduction percentage is
 3 determined according to the following table:

If the Missouri gross income on the return is:	The deduction percentage is:
\$25,000 or less	35 percent
From \$25,001 to \$50,000	25 percent
From \$50,001 to \$100,000	15 percent
From \$100,001 to \$125,000	5 percent
\$125,001 or more	0 percent

4 (2) Notwithstanding any provision of law to the contrary, the amount of any tax credits
 5 reducing a taxpayer's federal tax liability pursuant to Public Law 116-136 or 116-260, enacted by the
 6 116th United States Congress, for the tax year beginning on or after January 1, 2020, and ending on
 7 or before December 31, 2020, and the amount of any tax credits reducing a taxpayer's federal tax
 8 liability under any other federal law that provides direct economic impact payments to taxpayers to
 9 mitigate financial challenges related to the COVID-19 pandemic shall not be considered in
 10 determining a taxpayer's federal tax liability for the purposes of subdivision (1) of this subsection.

11 3. For all tax years beginning on or after September 1, 1993, a corporate taxpayer shall be
 12 allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the
 13 Internal Revenue Code for the same taxable year for which the Missouri return is being filed after
 14 reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit
 15 for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26
 16 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34.

17 4. If a federal income tax liability for a tax year prior to the applicability of sections 143.011
 18 to 143.996 for which he was not previously entitled to a Missouri deduction is later paid or accrued,
 19 he may deduct the federal tax in the later year to the extent it would have been deductible if paid or
 20 accrued in the prior year."; and

21
 22 Further amend said bill, Page 20, Section 144.054, Line 63, by inserting after all of said section and
 23 line the following:

24
 25 "144.080. 1. Every person receiving any payment or consideration upon the sale of property
 26 or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to
 27 [~~144.525~~] 144.527, is exercising the taxable privilege of selling the property or rendering the service
 28 at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only
 29 for the collection of the amount of the tax imposed on the sale or service to the extent possible under
 30 the provisions of section 144.285, but shall, on or before the last day of the month following each
 31 calendar quarterly period of three months, file a return with the director of revenue showing the
 32 person's gross receipts and the amount of tax levied in section 144.020 for the preceding quarter, and
 33 shall remit to the director of revenue, with the return, the taxes levied in section 144.020, except as
 34 provided in subsections 2 and 3 of this section. The director of revenue may promulgate rules or
 35 regulations changing the filing and payment requirements of sellers, but shall not require any seller
 36 to file and pay more frequently than required in this section.

37 2. (1) Where the aggregate amount levied and imposed upon a seller by section 144.020 is
 38 in excess of two hundred fifty dollars for either the first or second month of a calendar quarter, the
 39 seller shall file a return and pay such aggregate amount for such months to the director of revenue

1 by the twentieth day of the succeeding month.

2 (2) Beginning January 1, 2022, where the aggregate amount levied and imposed upon a
 3 seller by section 144.020 is in excess of two hundred fifty dollars for either the first or second month
 4 of a calendar quarter, the seller shall file a return and pay such aggregate amount for such months to
 5 the director of revenue on or before the last day of the succeeding month.

6 3. Where the aggregate amount levied and imposed upon a seller by section 144.020 is less
 7 than forty-five dollars in a calendar quarter, the director of revenue shall by regulation permit the
 8 seller to file a return for a calendar year. The return shall be filed and the taxes paid on or before
 9 January thirty-first of the succeeding year.

10 4. The seller of any property or person rendering any service, subject to the tax imposed by
 11 sections 144.010 to ~~[144.525]~~ 144.527, shall collect the tax from the purchaser of such property or
 12 the recipient of the service to the extent possible under the provisions of section 144.285, but the
 13 seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay
 14 to the state the tax imposed by section 144.020; except that the collection of the tax imposed by
 15 sections 144.010 to ~~[144.525]~~ 144.527 on motor vehicles and trailers shall be made as provided in
 16 sections 144.070 and 144.440.

17 5. Any person may advertise or hold out or state to the public or to any customer directly
 18 that the tax or any part thereof imposed by sections 144.010 to ~~[144.525]~~ 144.527, and required to
 19 be collected by the person, will be assumed or absorbed by the person, provided that the amount of
 20 tax assumed or absorbed shall be stated on any invoice or receipt for the property sold or service
 21 rendered. Any person violating any of the provisions of this section shall be guilty of a
 22 misdemeanor. This subsection shall not apply to any retailer prohibited from collecting and
 23 remitting sales tax under section 66.630."; and

24
 25 Further amend said bill, Page 24, Section 144.605, Line 42 by deleting the letter "a."; and

26
 27 Further amend said bill, Page 24-25, Section 144.605, Lines 56-69, by deleting all of said lines; and

28
 29 Further amend said bill, Page 34, Section 144.757, Lines 92-99, by deleting all of said lines; and

30
 31 Further amend said bill, Page 36-40, Sections 287.245, 320.300, and 320.400, by deleting all of said
 32 sections and inserting the following:

33
 34 "262.900. 1. As used in this section, the following terms mean:

35 (1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product,
 36 growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product,
 37 planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either
 38 in its natural or processed state, that has been produced, processed, or otherwise had value added to
 39 it in this state;

40 (2) "Blighted area", ~~[that portion of the city within which the legislative authority of such~~
 41 ~~city determines that by reason of age, obsolescence, inadequate, or outmoded design or physical~~
 42 ~~deterioration have become economic and social liabilities, and that such conditions are conducive to~~
 43 ~~ill health, transmission of disease, crime or inability to pay reasonable taxes]~~ the same meaning as
 44 defined pursuant to section 99.805;

45 (3) "Department", the department of agriculture;

46 (4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited
 47 to ostrich and emu, llamas, alpaca, buffalo, bison, elk documented as obtained from a legal source
 48 and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human
 49 consumption;

- 1 (5) "Grower UAZ", a type of UAZ:
- 2 (a) That can either grow produce, raise livestock, or produce other value-added agricultural
- 3 products;
- 4 (b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty
- 5 domesticated animals;
- 6 (6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich
- 7 and emu, aquatic products as described in section 277.024, llamas, alpaca, buffalo, bison, elk
- 8 documented as obtained from a legal source and not from the wild, goats, or horses, other equines,
- 9 or rabbits raised in confinement for human consumption;
- 10 (7) "Locally grown", a product that was grown or raised in the same county or city not
- 11 within a county in which the UAZ is located or in an adjoining county or city not within a county.
- 12 For a product raised or sold in a city not within a county, locally grown also includes an adjoining
- 13 county with a charter form of government with more than nine hundred fifty thousand inhabitants
- 14 and those adjoining said county;
- 15 (8) "Meat", any edible portion of livestock or poultry carcass or part thereof;
- 16 (9) "Meat product", anything containing meat intended for or capable of use for human
- 17 consumption, which is derived, in whole or in part, from livestock or poultry;
- 18 (10) "Mobile unit", the same as motor vehicle as defined in section 301.010;
- 19 (11) "Poultry", any domesticated bird intended for human consumption;
- 20 (12) "Processing UAZ", a type of UAZ:
- 21 (a) That processes livestock, poultry, or produce for human consumption;
- 22 (b) That meets federal and state processing laws and standards;
- 23 (c) Is a qualifying small business approved by the department;
- 24 (13) "Qualifying small business", those enterprises which are established within an Urban
- 25 Agricultural Zone subsequent to its creation, and which meet the definition established for the Small
- 26 Business Administration and set forth in Section 121.201 of Part 121 of Title 13 of the Code of
- 27 Federal Regulations;
- 28 (14) "Value-added agricultural products", any product or products that are the result of:
- 29 (a) Using an agricultural product grown in this state to produce a meat or dairy product in
- 30 this state;
- 31 (b) A change in the physical state or form of the original agricultural product;
- 32 (c) An agricultural product grown in this state which has had its value enhanced by special
- 33 production methods such as organically grown products; or
- 34 (d) A physical segregation of a commodity or agricultural product grown in this state that
- 35 enhances its value such as identity preserved marketing systems;
- 36 (15) "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical area as
- 37 defined by the United States Office of Budget and Management that has one or more of the
- 38 following entities that is a qualifying small business and approved by the department, as follows:
- 39 (a) Any organization or person who grows produce or other agricultural products;
- 40 (b) Any organization or person that raises livestock or poultry;
- 41 (c) Any organization or person who processes livestock or poultry;
- 42 (d) Any organization that sells at a minimum seventy-five percent locally grown food;
- 43 (16) "Vending UAZ", a type of UAZ:
- 44 (a) That sells produce, meat, or value-added locally grown agricultural goods;
- 45 (b) That is able to accept food stamps under the provisions of the Supplemental Nutrition
- 46 Assistance Program as a form of payment; and
- 47 (c) Is a qualifying small business that is approved by the department for an UAZ vendor
- 48 license.
- 49 2. (1) A person or organization shall submit to any incorporated municipality an application

1 to develop an UAZ on a blighted area of land. Such application shall demonstrate or identify on the
2 application:

3 (a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or a
4 combination of all three types of UAZs provided in this paragraph, in which case the person or
5 organization shall meet the requirements of each type of UAZ in order to qualify;

6 (b) The number of jobs to be created;

7 (c) The types of products to be produced; and

8 (d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of
9 the Supplemental Nutrition Assistance Program if selling products to consumers.

10 (2) A municipality shall review and modify the application as necessary before either
11 approving or denying the request to establish an UAZ.

12 (3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the
13 development of the UAZ. After twenty-five years, the UAZ shall dissolve.

14
15 If the municipality finds during its review that the UAZ is not meeting the requirements set out in
16 this section, the municipality may dissolve the UAZ.

17 3. The governing body of any municipality planning to seek designation of an urban
18 agricultural zone shall establish an urban agricultural zone board. The number of members on the
19 board shall be seven. One member of the board shall be appointed by the school district or districts
20 located within the area proposed for designation of an urban agricultural zone. Two members of the
21 board shall be appointed by other affected taxing districts. The remaining four members shall be
22 chosen by the chief elected officer of the municipality. The four members chosen by the chief
23 elected officer of the municipality shall all be residents of the county or city not within a county in
24 which the UAZ is to be located, and at least one of such four members shall have experience in or
25 represent organizations associated with sustainable agriculture, urban farming, community
26 gardening, or any of the activities or products authorized by this section for UAZs.

27 4. The school district member and the two affected taxing district members shall each have
28 initial terms of five years. Of the four members appointed by the chief elected official, two shall
29 have initial terms of four years, and two shall have initial terms of three years. Thereafter, members
30 shall serve terms of five years. Each member shall hold office until a successor has been appointed.
31 All vacancies shall be filled in the same manner as the original appointment. For inefficiency or
32 neglect of duty or misconduct in office, a member of the board may be removed by the applicable
33 appointing authority.

34 5. A majority of the members shall constitute a quorum of such board for the purpose of
35 conducting business and exercising the powers of the board and for all other purposes. Action may
36 be taken by the board upon a vote of a majority of the members present.

37 6. The members of the board annually shall elect a chair from among the members.

38 7. The role of the board shall be to conduct the activities necessary to advise the governing
39 body on the designation of an urban agricultural zone and any other advisory duties as determined
40 by the governing body. The role of the board after the designation of an urban agricultural zone
41 shall be review and assessment of zone activities.

42 8. Prior to the adoption of an ordinance proposing the designation of an urban agricultural
43 zone, the urban agricultural board shall fix a time and place for a public hearing and notify each
44 taxing district located wholly or partially within the boundaries of the proposed urban agricultural
45 zone. The board shall send, by certified mail, a notice of such hearing to all taxing districts and
46 political subdivisions in the area to be affected and shall publish notice of such hearing in a
47 newspaper of general circulation in the area to be affected by the designation at least twenty days
48 prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the
49 time, location, date, and purpose of the hearing. At the public hearing any interested person or

1 affected taxing district may file with the board written objections to, or comments on, and may be
2 heard orally in respect to, any issues embodied in the notice. The board shall hear and consider all
3 protests, objections, comments, and other evidence presented at the hearing. The hearing may be
4 continued to another date without further notice other than a motion to be entered upon the minutes
5 fixing the time and place of the subsequent hearing.

6 9. Following the conclusion of the public hearing required under subsection 8 of this
7 section, the governing authority of the municipality may adopt an ordinance designating an urban
8 agricultural zone.

9 10. The real property of the UAZ shall not be subject to assessment or payment of ad
10 valorem taxes on real property imposed by the cities affected by this section, or by the state or any
11 political subdivision thereof, for a period of up to twenty-five years as specified by ordinance under
12 subsection 9 of this section, except to such extent and in such amount as may be imposed upon such
13 real property during such period, as was determined by the assessor of the county in which such real
14 property is located, or, if not located within a county, then by the assessor of such city, in an amount
15 not greater than the amount of taxes due and payable thereon during the calendar year preceding the
16 calendar year during which the urban agricultural zone was designated. The amounts of such tax
17 assessments shall not be increased during such period so long as the real property is used in
18 furtherance of the activities provided under the provisions of subdivision (15) of subsection 1 of this
19 section. At the conclusion of the period of abatement provided by the ordinance, the property shall
20 then be reassessed. If only a portion of real property is used as an UAZ, then only that portion of
21 real property shall be exempt from assessment or payment of ad valorem taxes on such property, as
22 provided by this section.

23 11. If the water services for the UAZ are provided by the municipality, the municipality may
24 authorize a grower UAZ to pay wholesale water rates for the cost of water consumed on the UAZ.
25 If available, the UAZ may pay fifty percent of the standard cost to hook onto the water source.

26 12. (1) Any local sales tax revenues received from the sale of agricultural products sold in
27 the UAZ, or any local sales tax revenues received by a mobile unit associated with a vending UAZ
28 selling agricultural products in the municipality in which the vending UAZ is located, shall be
29 deposited in the urban agricultural zone fund established in subdivision (2) of this subsection. An
30 amount equal to one percent shall be retained by the director of revenue for deposit in the general
31 revenue fund to offset the costs of collection.

32 (2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund", which
33 shall consist of money collected under subdivision (1) of this subsection. The state treasurer shall
34 be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may
35 approve disbursements. The fund shall be a dedicated fund and, upon appropriation, shall be used
36 for the purposes authorized by this section. Notwithstanding the provisions of section 33.080 to the
37 contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit
38 of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner
39 as other funds are invested. Any interest and moneys earned on such investments shall be credited
40 to the fund. Fifty percent of fund moneys shall be made available to school districts. The remaining
41 fifty percent of fund moneys shall be allocated to municipalities that have urban agricultural zones
42 based upon the municipality's percentage of local sales tax revenues deposited into the fund. The
43 municipalities shall, upon appropriation, provide fund moneys to urban agricultural zones within the
44 municipality for improvements. School districts may apply to the department for money in the fund
45 to be used for the development of curriculum on or the implementation of urban farming practices
46 under the guidance of the University of Missouri extension service and a certified vocational
47 agricultural instructor. The funds are to be distributed on a competitive basis within the school
48 district or districts in which the UAZ is located pursuant to rules to be promulgated by the
49 department, with special consideration given to the relative number of students eligible for free and

1 reduced-price lunches attending the schools within such district or districts.

2 13. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
3 under the authority delegated in this section shall become effective only if it complies with and is
4 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
5 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
6 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
7 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
8 August 28, 2013, shall be invalid and void.

9 14. The provisions of this section shall not apply to any county with a charter form of
10 government and with more than three hundred thousand but fewer than four hundred fifty thousand
11 inhabitants.

12 353.020. The following terms, whenever used or referred to in this chapter, mean:

13 (1) "Area", that portion of the city which the legislative authority of such city has found or
14 shall find to be blighted so that the clearance, replanning, rehabilitation, or reconstruction thereof is
15 necessary to effectuate the purposes of this law. Any such area may include buildings or
16 improvements not in themselves blighted, and any real property, whether improved or unimproved,
17 the inclusion of which is deemed necessary for the effective clearance, replanning, reconstruction or
18 rehabilitation of the area of which such buildings, improvements or real property form a part;

19 (2) "Blighted area", ~~[that portion of the city within which the legislative authority of such~~
20 ~~city determines that by reason of age, obsolescence, inadequate or outmoded design or physical~~
21 ~~deterioration have become economic and social liabilities, and that such conditions are conducive to~~
22 ~~ill health, transmission of disease, crime or inability to pay reasonable taxes]~~ the same meaning as
23 defined pursuant to section 99.805;

24 (3) "City" or "such cities", any city within this state and any county of the first classification
25 with a charter form of government and a population of at least nine hundred thousand inhabitants or
26 any county with a charter form of government and with more than six hundred thousand but less
27 than seven hundred thousand inhabitants. The county's authority pursuant to this chapter shall be
28 restricted to the unincorporated areas of such county;

29 (4) "Development plan", a plan, together with any amendments thereto, for the development
30 of all or any part of a blighted area, which is authorized by the legislative authority of any such city;

31 (5) "Legislative authority", the city council or board of aldermen of the cities affected by
32 this chapter;

33 (6) "Mortgage", a mortgage, trust indenture, deed of trust, building and loan contract, or
34 other instrument creating a lien on real property, to secure the payment of an indebtedness, and the
35 indebtedness secured by any of them;

36 (7) "Real property" includes lands, buildings, improvements, land under water, waterfront
37 property, and any and all easements, franchises and hereditaments, corporeal or incorporeal, and
38 every estate, interest, privilege, easement, franchise and right therein, or appurtenant thereto, legal
39 or equitable, including restrictions of record, created by plat, covenant or otherwise, rights-of-way
40 and terms for years;

41 (8) "Redevelopment", the clearance, replanning, reconstruction or rehabilitation of any
42 blighted area, and the provision for such industrial, commercial, residential or public structures and
43 spaces as may be appropriate, including recreational and other facilities incidental or appurtenant
44 thereto;

45 (9) "Redevelopment project", a specific work or improvement to effectuate all or any part of
46 a development plan;

47 (10) "Urban redevelopment corporation", a corporation organized pursuant to this chapter;
48 except that any life insurance company organized pursuant to the laws of, or admitted to do business
49 in, the state of Missouri may from time to time within five years after April 23, 1946, undertake,

1 alone or in conjunction with, or as a lessee of any such life insurance company or urban
 2 redevelopment corporation, a redevelopment project pursuant to this chapter, and shall, in its
 3 operations with respect to any such redevelopment project, but not otherwise, be deemed to be an
 4 urban redevelopment corporation for the purposes of this section and sections 353.010, 353.040,
 5 353.060 and 353.110 to 353.160.

6 620.2005. 1. As used in sections 620.2000 to 620.2020, the following terms mean:

7 (1) "Average wage", the new payroll divided by the number of new jobs, or the payroll of
 8 the retained jobs divided by the number of retained jobs;

9 (2) "Commencement of operations", the starting date for the qualified company's first new
 10 employee, which shall be no later than twelve months from the date of the approval;

11 (3) "Contractor", a person, employer, or business entity that enters into an agreement to
 12 perform any service or work or to provide a certain product in exchange for valuable consideration.
 13 This definition shall include but not be limited to a general contractor, subcontractor, independent
 14 contractor, contract employee, project manager, or a recruiting or staffing entity;

15 (4) "County average wage", the average wages in each county as determined by the
 16 department for the most recently completed full calendar year. However, if the computed county
 17 average wage is above the statewide average wage, the statewide average wage shall be deemed the
 18 county average wage for such county for the purpose of determining eligibility. The department
 19 shall publish the county average wage for each county at least annually. Notwithstanding the
 20 provisions of this subdivision to the contrary, for any qualified company that in conjunction with
 21 their project is relocating employees from a Missouri county with a higher county average wage, the
 22 company shall obtain the endorsement of the governing body of the community from which jobs are
 23 being relocated or the county average wage for their project shall be the county average wage for the
 24 county from which the employees are being relocated;

25 (5) "Department", the Missouri department of economic development;

26 (6) "Director", the director of the department of economic development;

27 (7) "Employee", a person employed by a qualified company, excluding:

28 (a) Owners of the qualified company unless the qualified company is participating in an
 29 employee stock ownership plan; or

30 (b) Owners of a noncontrolling interest in stock of a qualified company that is publicly
 31 traded;

32 (8) "Existing Missouri business", a qualified company that, for the ten-year period
 33 preceding submission of a notice of intent to the department, had a physical location in Missouri and
 34 full-time employees who routinely performed job duties within Missouri;

35 (9) "Full-time employee", an employee of the qualified company that is scheduled to work
 36 an average of at least thirty-five hours per week for a twelve-month period, and one for which the
 37 qualified company offers health insurance and pays at least fifty percent of such insurance
 38 premiums. An employee that spends less than fifty percent of the employee's work time at the
 39 facility shall be considered to be located at a facility if the employee receives his or her directions
 40 and control from that facility, is on the facility's payroll, one hundred percent of the employee's
 41 income from such employment is Missouri income, and the employee is paid at or above the
 42 applicable percentage of the county average wage;

43 (10) "Industrial development authority", an industrial development authority organized
 44 under chapter 349 that has entered into a formal written memorandum of understanding with an
 45 entity of the United States Department of Defense regarding a qualified military project;

46 (11) "Infrastructure projects", highways, roads, streets, bridges, sewers, traffic control
 47 systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and
 48 drainage systems, broadband internet infrastructure, and any other similar public improvements, but
 49 in no case shall infrastructure projects include private structures;

1 (12) "Local incentives", the present value of the dollar amount of direct benefit received by
2 a qualified company for a project facility from one or more local political subdivisions, but this term
3 shall not include loans or other funds provided to the qualified company that shall be repaid by the
4 qualified company to the political subdivision;

5 (13) "Manufacturing capital investment", expenditures made by a qualified manufacturing
6 company to retool or reconfigure a manufacturing project facility directly related to the
7 manufacturing of a new product or the expansion or modification of the manufacture of an existing
8 product;

9 (14) "Memorandum of understanding", an agreement executed by an industrial development
10 authority and an entity of the United States Department of Defense, a copy of which is provided to
11 the department of economic development, that states, but is not limited to:

12 (a) A requirement for the military to provide the total number of existing jobs, jobs directly
13 created by a qualified military project, and average salaries of such jobs to the industrial
14 development authority and the department of economic development annually for the term of the
15 benefit;

16 (b) A requirement for the military to provide an accounting of the expenditures of capital
17 investment made by the military directly related to the qualified military project to the industrial
18 development authority and the department of economic development annually for the term of the
19 benefit;

20 (c) The process by which the industrial development authority shall monetize the tax credits
21 annually and any transaction cost or administrative fee charged by the industrial development
22 authority to the military on an annual basis;

23 (d) A requirement for the industrial development authority to provide proof to the
24 department of economic development of the payment made to the qualified military project
25 annually, including the amount of such payment;

26 (e) The schedule of the maximum amount of tax credits which may be authorized in each
27 year for the project and the specified term of the benefit, as provided by the department of economic
28 development; and

29 (f) A requirement that the annual benefit paid shall be the lesser of:

30 a. The maximum amount of tax credits authorized; or

31 b. The actual calculated benefit derived from the number of new jobs and average salaries;

32 (15) "NAICS" or "NAICS industry classification", the classification provided by the most
33 recent edition of the North American Industry Classification System as prepared by the Executive
34 Office of the President, Office of Management and Budget;

35 (16) "New capital investment", shall include costs incurred by the qualified company at the
36 project facility after acceptance by the qualified company of the proposal for benefits from the
37 department or the approval notice of intent, whichever occurs first, for real or personal property, and
38 may include the value of finance or capital leases for real or personal property for the term of such
39 lease at the project facility executed after acceptance by the qualified company of the proposal for
40 benefits from the department or the approval of the notice of intent;

41 (17) "New direct local revenue", the present value of the dollar amount of direct net new tax
42 revenues of the local political subdivisions likely to be produced by the project over a ten-year
43 period as calculated by the department, excluding local earnings tax, and net new utility revenues,
44 provided the local incentives include a discount or other direct incentives from utilities owned or
45 operated by the political subdivision;

46 (18) "New job", the number of full-time employees located at the project facility that
47 exceeds the project facility base employment less any decrease in the number of full-time
48 employees at related facilities below the related facility base employment. No job that was created
49 prior to the date of the notice of intent shall be deemed a new job;

1 (19) "New payroll", the amount of wages paid for all new jobs, located at the project facility
2 during the qualified company's tax year that exceeds the project facility base payroll;

3 (20) "New product", a new model or line of a manufactured good that has not been
4 manufactured in Missouri by a qualified manufacturing company at any time prior to the date of the
5 notice of intent, or an existing brand, model, or line of a manufactured good that is redesigned;

6 (21) "Notice of intent", a form developed by the department and available online, completed
7 by the qualified company, and submitted to the department stating the qualified company's intent to
8 request benefits under this program. The notice of intent shall be accompanied with a detailed plan
9 by the qualifying company to make good faith efforts to employ, at a minimum, commensurate with
10 the percentage of minority populations in the state of Missouri, as reported in the previous decennial
11 census, the following: racial minorities, contractors who are racial minorities, and contractors that,
12 in turn, employ at a minimum racial minorities commensurate with the percentage of minority
13 populations in the state of Missouri, as reported in the previous decennial census. At a minimum,
14 such plan shall include monitoring the effectiveness of outreach and recruitment strategies in
15 attracting diverse applicants and linking with different or additional referral sources in the event that
16 recruitment efforts fail to produce a diverse pipeline of applicants;

17 (22) "Percent of local incentives", the amount of local incentives divided by the amount of
18 new direct local revenue;

19 (23) "Program", the Missouri works program established in sections 620.2000 to 620.2020;

20 (24) "Project facility", the building or buildings used by a qualified company at which new
21 or retained jobs and any new capital investment are or will be located or by a qualified
22 manufacturing company at which a manufacturing capital investment is or will be located. A
23 project facility may include separate buildings located within sixty miles of each other such that
24 their purpose and operations are interrelated; provided that where the buildings making up the
25 project facility are not located within the same county, the average wage of the new payroll shall
26 exceed the applicable percentage of the highest county average wage among the counties in which
27 the buildings are located. Upon approval by the department, a subsequent project facility may be
28 designated if the qualified company demonstrates a need to relocate to the subsequent project
29 facility at any time during the project period. For qualified military projects, the term "project
30 facility" means the military base or installation at which such qualified military project is or shall be
31 located;

32 (25) "Project facility base employment", the greater of the number of full-time employees
33 located at the project facility on the date of the notice of intent or, for the twelve-month period prior
34 to the date of the notice of intent, the average number of full-time employees located at the project
35 facility. In the event the project facility has not been in operation for a full twelve-month period, the
36 average number of full-time employees for the number of months the project facility has been in
37 operation prior to the date of the notice of intent;

38 (26) "Project facility base payroll", the annualized payroll for the project facility base
39 employment or the total amount of taxable wages paid by the qualified company to full-time
40 employees of the qualified company located at the project facility in the twelve months prior to the
41 notice of intent. For purposes of calculating the benefits under this program, the amount of base
42 payroll shall increase each year based on an appropriate measure, as determined by the department;

43 (27) "Project period", the time period within which benefits are awarded to a qualified
44 company or within which the qualified company is obligated to perform under an agreement with
45 the department, whichever is greater;

46 (28) "Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits
47 offered to the qualified company, as determined by the department;

48 (29) "Qualified company", a firm, partnership, joint venture, association, private or public
49 corporation whether organized for profit or not, or headquarters of such entity registered to do

1 business in Missouri that is the owner or operator of a project facility, certifies that it offers health
 2 insurance to all full-time employees of all facilities located in this state, and certifies that it pays at
 3 least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020,
 4 the term "qualified company" shall not include:

- 5 (a) Gambling establishments (NAICS industry group 7132);
- 6 (b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45),
 7 except with respect to any company headquartered in this state with a majority of its full-time
 8 employees engaged in operations not within the NAICS codes specified in this subdivision and
 9 except for any such establishments located in a county of the third or fourth classification;
- 10 (c) Food and drinking places (NAICS subsector 722);
- 11 (d) Public utilities (NAICS 221 including water and sewer services);
- 12 (e) Any company that is delinquent in the payment of any nonprotested taxes or any other
 13 amounts due the state or federal government or any other political subdivision of this state;
- 14 (f) Any company requesting benefits for retained jobs that has filed for or has publicly
 15 announced its intention to file for bankruptcy protection. However, a company that has filed for or
 16 has publicly announced its intention to file for bankruptcy may be a qualified company provided
 17 that such company:
 - 18 a. Certifies to the department that it plans to reorganize and not to liquidate; and
 - 19 b. After its bankruptcy petition has been filed, it produces proof, in a form and at times
 20 satisfactory to the department, that it is not delinquent in filing any tax returns or making any
 21 payment due to the state of Missouri, including but not limited to all tax payments due after the
 22 filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer
 23 who is awarded benefits under this subsection and who files for bankruptcy under Chapter 7 of the
 24 United States Bankruptcy Code, Title 11 U.S.C., shall immediately notify the department and shall
 25 forfeit such benefits and shall repay the state an amount equal to any state tax credits already
 26 redeemed and any withholding taxes already retained;
 - 27 (g) Educational services (NAICS sector 61);
 - 28 (h) Religious organizations (NAICS industry group 8131);
 - 29 (i) Public administration (NAICS sector 92);
 - 30 (j) Ethanol distillation or production;
 - 31 (k) Biodiesel production; or
 - 32 (l) Health care and social services (NAICS sector 62).

33
 34 Notwithstanding any provision of this section to the contrary, the headquarters, administrative
 35 offices, or research and development facilities of an otherwise excluded business may qualify for
 36 benefits if the offices or facilities serve a multistate territory. In the event a national, state, or
 37 regional headquarters operation is not the predominant activity of a project facility, the jobs and
 38 investment of such operation shall be considered eligible for benefits under this section if the other
 39 requirements are satisfied;

- 40 (30) "Qualified manufacturing company", a company that:
 - 41 (a) Is a qualified company that manufactures motor vehicles (NAICS group 3361);
 - 42 (b) Manufactures goods at a facility in Missouri;
 - 43 (c) Manufactures a new product or has commenced making a manufacturing capital
 44 investment to the project facility necessary for the manufacturing of such new product, or modifies
 45 or expands the manufacture of an existing product or has commenced making a manufacturing
 46 capital investment for the project facility necessary for the modification or expansion of the
 47 manufacture of such existing product; and
 - 48 (d) Continues to meet the requirements of paragraphs (a) to (c) of this subdivision for the
 49 project period;

1 (31) "Qualified military project", the expansion or improvement of a military base or
2 installation within this state that causes:

3 (a) An increase of ten or more part-time or full-time military or civilian support personnel:
4 a. Whose average salaries equal or exceed ninety percent of the county average wage; and
5 b. Who are offered health insurance, with an entity of the United States Department of
6 Defense paying at least fifty percent of such insurance premiums; and

7 (b) Investment in real or personal property at the base or installation expressly for the
8 purposes of serving a new or expanded military activity or unit.
9

10 For the purposes of this subdivision, part-time military or civilian support personnel shall be
11 converted to full-time new jobs by, in hire date order, counting one full-time new job for every
12 thirty-five averaged hours worked per week by part-time military or civilian support personnel in
13 jobs directly created by the qualified military project. For each such full-time new job, the sum of
14 the wages of the part-time military or civilian support personnel combined and converted to form
15 the new job shall be the wage for the one full-time new job. Each part-time military or civilian
16 support personnel whose job is combined and converted for such a full-time new job shall be offered
17 health insurance as described in subparagraph b of paragraph (a) of this subdivision;

18 (32) "Related company", shall mean:

19 (a) A corporation, partnership, trust, or association controlled by the qualified company;

20 (b) An individual, corporation, partnership, trust, or association in control of the qualified
21 company; or

22 (c) Corporations, partnerships, trusts or associations controlled by an individual,
23 corporation, partnership, trust, or association in control of the qualified company. As used in this
24 paragraph, "control of a qualified company" shall mean:

25 a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total
26 combined voting power of all classes of stock entitled to vote in the case of a qualified company that
27 is a corporation;

28 b. Ownership of at least fifty percent of the capital or profit interest in such qualified
29 company if it is a partnership or association;

30 c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the
31 principal or income of such qualified company if it is a trust, and ownership shall be determined as
32 provided in Section 318 of the Internal Revenue Code of 1986, as amended;

33 (33) "Related facility", a facility operated by the qualified company or a related company
34 located in this state that is directly related to the operations of the project facility or in which
35 operations substantially similar to the operations of the project facility are performed;

36 (34) "Related facility base employment", the greater of the number of full-time employees
37 located at all related facilities on the date of the notice of intent or, for the twelve-month period prior
38 to the date of the notice of intent, the average number of full-time employees located at all related
39 facilities of the qualified company or a related company located in this state;

40 (35) "Related facility base payroll", the annualized payroll of the related facility base
41 payroll or the total amount of taxable wages paid by the qualified company to full-time employees
42 of the qualified company located at a related facility in the twelve months prior to the filing of the
43 notice of intent. For purposes of calculating the benefits under this program, the amount of related
44 facility base payroll shall increase each year based on an appropriate measure, as determined by the
45 department;

46 (36) "Rural area", a county in Missouri with a population less than seventy-five thousand or
47 that does not contain an individual city with a population greater than fifty thousand according to
48 the most recent federal decennial census;

49 (37) "Tax credits", tax credits issued by the department to offset the state taxes imposed by

1 chapters 143 and 148, or which may be sold or refunded as provided for in this program;

2 (38) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes
3 of this program, the withholding tax shall be computed using a schedule as determined by the
4 department based on average wages.

5 2. This section is subject to the provisions of section 196.1127.

6 Section 1. 1. No later than January 1, 2022, any county or municipality of this state that has
7 enacted a use tax shall send every taxpayer within its boundaries a notice informing the taxpayers of
8 a change in the use tax law.

9 2. The notice shall contain substantially the following language:

10 Beginning January 1, 2023, some purchases from out-of-state vendors without a physical
11 presence in the state will be subject to Missouri's newly revised use tax law. Some purchases
12 made through the Internet or through other means on which state and local use taxes have
13 not previously been collected, may now have state and local use taxes collected.

14
15 The current state use tax rate at this address is: 4.225%

16
17 The current county use tax rate at this address is: (insert rate for county use tax)

18
19 The current municipal use tax rate at this address is: (insert rate for municipal use tax)

20
21 Therefore, the current use tax rate at this address is: _____ (insert combined rate for state
22 and all local use tax)

23
24 Section 144.761, RSMo, governs the repeal of a local use tax.

25 3. Such notice shall be sent on an independent piece of orange paper and shall be in a font
26 size of no less than twelve-point font. In order to carry out the provisions of this section any
27 municipality may coordinate and work with any county or county official in order to ensure
28 taxpayers receive the notice described in this section, to ensure taxpayers do not receive duplicate
29 notices, and to ensure such political subdivisions employ cost savings in order to carry out the
30 provisions of this section."; and

31
32 Further amend said bill, Page 43, Section C, Line 5, by inserting after all of said section and line the
33 following:

34
35 "Section D. Because immediate action is necessary to protect the interests of taxpayers
36 during the COVID-19 pandemic, sections 143.121 and 143.171 of section A of this act are deemed
37 necessary for the immediate preservation of the public health, welfare, peace, and safety, and are
38 hereby declared to be an emergency act within the meaning of the constitution, and sections 143.121
39 and 143.171 of section A of this act shall be in full force and effect upon its passage and approval.";
40 and

41
42 Further amend said bill by amending the title, enacting clause, and intersectional references
43 accordingly.