

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 843, 880 & 1042
92ND GENERAL ASSEMBLY

Reported from the Committee on Local Government March 11, 2004, with recommendation that the House Committee Substitute for House Bill Nos. 843, 880 & 1042 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

3272L.03C

AN ACT

To repeal sections 135.208 and 135.209, RSMo, and to enact in lieu thereof five new sections relating to enterprise zones.

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

Section A. Sections 135.208 and 135.209, RSMo, are repealed and five new sections
2 enacted in lieu thereof, to be known as sections 135.208, 135.209, 135.214, 135.216, and
3 135.261, to read as follows:

135.208. 1. In addition to the number of enterprise zones authorized under the
2 provisions of sections 135.206 and 135.210, the department of economic development shall
3 designate one such zone in any county of the third class which is south of the Missouri River and
4 which adjoins one county of the second class and also the state of Oklahoma. Such designation
5 shall only be made if the area of the county which is to be included in the enterprise zone meets
6 all the requirements of section 135.205.

7 2. In addition to the number of enterprise zones authorized under the provisions of
8 sections 135.206 and 135.210, the department of economic development shall designate one such
9 zone in any county of the third class which borders the Missouri River and which adjoins a
10 county of the second class with a population of at least one hundred thousand inhabitants and
11 which contains a branch of the state university. Such designation shall only be made if the area
12 of the county which is to be included in the enterprise zone meets all the requirements of section
13 135.205.

14 3. In addition to the number of enterprise zones authorized under the provisions of
15 sections 135.206, 135.210 and 135.256, the department of economic development shall designate
16 one such zone in every county of the third class without a township form of government with a

17 population of more than seven thousand eight hundred but less than ten thousand inhabitants
18 located south of the Missouri River, which adjoins one third class county with a township form
19 of government, and which adjoins no first or second class county. Such enterprise zone
20 designation shall only be made if the area in the county which is to be included in the enterprise
21 zone meets all the requirements of section 135.205.

22 4. In addition to the number of enterprise zones authorized pursuant to the provisions
23 of sections 135.206, 135.210 and 135.256, the department of economic development shall
24 designate one such zone in a city of the third class with a population of more than eight thousand
25 but less than ten thousand located in a county of the third classification with a township form of
26 government with a population of more than twenty thousand but less than twenty-two thousand.
27 Such enterprise zone designation shall only be made if the area in the city which is to be included
28 in the enterprise zone meets all the requirements of section 135.205.

29 5. In addition to the number of enterprise zones authorized pursuant to the provisions
30 of sections 135.206, 135.210 and 135.256, the department of economic development shall
31 designate one such zone for any city with a home rule form of government and a population of
32 at least one hundred ten thousand inhabitants but not more than one hundred thirty thousand
33 inhabitants. Such enterprise zone designation shall only be made if the area in the city which is
34 to be included in the enterprise zone meets all the requirements of section 135.205.

35 6. In addition to the number of enterprise zones authorized pursuant to the provisions
36 of sections 135.206, 135.210 and 135.256, the department of economic development shall
37 designate one such zone for any county of the first classification without a charter form of
38 government with a population of less than thirty thousand inhabitants. Such enterprise zone
39 designation shall only be made if the area in the city which is to be included in the enterprise
40 zone meets all the requirements of section 135.205.

41 7. In addition to the number of enterprise zones authorized pursuant to the provisions
42 of sections 135.206, 135.210, 135.256 and 135.257, the department of economic development
43 shall designate one such zone in a city of the fourth classification with a population of at least
44 three thousand but less than four thousand inhabitants located in a county of the second
45 classification with a population of at least twenty thousand but not more than twenty-five
46 thousand inhabitants. Such enterprise zone designation shall only be made if such area which
47 is to be included in the enterprise zone meets all the requirements of section 135.205.

48 8. In addition to the number of enterprise zones authorized pursuant to the provisions
49 of sections 135.206, 135.210, 135.256 and 135.257, the department of economic development
50 shall designate one such zone for any area that includes property in two adjoining counties where
51 one county is a county of the third classification without a township form of government with
52 a population of less than sixteen thousand three hundred and more than sixteen thousand

53 inhabitants and the other county is a county of the first classification having a population of at
54 least one hundred seventy-one thousand but less than one hundred seventy-two thousand
55 inhabitants. Such enterprise zone designation shall only be made if such area which is to be
56 included in the enterprise zone meets all the requirements of section 135.205.

57 9. In addition to the number of enterprise zones authorized pursuant to the provisions
58 of sections 135.206, 135.210 and 135.256, the department of economic development shall
59 designate one such zone in a city of the fourth class with a population of more than four thousand
60 located in a county of the third classification with a township form of government and with a
61 population of less than thirteen thousand. Such enterprise zone designation shall only be made
62 if the area in the city which is to be included in the enterprise zone meets all the requirements
63 of section 135.205.

64 10. In addition to the number of enterprise zones authorized pursuant to the provisions
65 of sections 135.206, 135.210 and 135.256, the department of economic development shall
66 designate one such zone in a city of the fourth class with a population of more than two thousand
67 nine hundred located in a county of the third classification without a township form of
68 government with a population of less than twelve thousand and more than eleven thousand seven
69 hundred inhabitants. Such enterprise zone designation shall only be made if the area in the city
70 which is to be included in the enterprise zone meets all the requirements of section 135.205.

71 11. In addition to the number of enterprise zones authorized pursuant to the provisions
72 of sections 135.206, 135.210 and 135.256, the department of economic development shall
73 designate one such zone in a county of the third classification without a township form of
74 government with a population of less than twenty-four thousand five hundred and more than
75 twenty-four thousand inhabitants. Such enterprise zone designation shall only be made if the
76 area in the county which is to be included in the enterprise zone meets all the requirements of
77 section 135.205.

78 **12. In addition to the number of enterprise zones authorized in this chapter, the**
79 **department of economic development shall designate one such zone for any city of the**
80 **fourth classification with more than three thousand eight hundred but less than four**
81 **thousand inhabitants and located in more than one county. Such enterprise zone**
82 **designation shall only be made if the area in the city which is to be included in the**
83 **enterprise zone meets all the requirements of section 135.205.**

135.209. 1. Any city in which an enterprise zone is designated pursuant to subsection
2 5 or subsection 12 of section 135.208 may, upon approval of the local governing authority of
3 the city and the director of the department of economic development, designate one satellite
4 enterprise zone within its corporate limits. A prerequisite for the designation of the satellite zone
5 shall be the approval by the director of the department of economic development of a plan

6 submitted by the local governing authority of the city describing how the satellite zone
7 corresponds to the city's overall enterprise zone strategy.

8 2. The satellite enterprise zone authorized by this section shall be designated only if it
9 meets the criteria established by subdivisions (1) to (4) of subsection 2 of section 135.207.
10 Retail businesses, as identified by the 1997 North American Industry Classification System
11 (NAICS) sector numbers 44 to 45, located within the satellite enterprise zone shall be eligible
12 for all benefits provided pursuant to the provisions of sections 135.200 to 135.258.

**135.214. 1. In addition to any other enterprise zones authorized in this chapter, the
2 department of economic development shall designate one enterprise zone that shall be
3 located partially in any city of the fourth classification with more than twelve thousand one
4 hundred but less than twelve thousand four hundred inhabitants and partially in any city
5 of the fourth classification with more than nine thousand six hundred but less than nine
6 thousand seven hundred inhabitants and shall include all area in between any city of the
7 fourth classification with more than twelve thousand one hundred but less than twelve
8 thousand four hundred inhabitants and any city of the fourth classification with more than
9 nine thousand six hundred but less than nine thousand seven hundred inhabitants with
10 specific boundaries to be determined by the department of economic development in
11 conjunction with the governing authority of the county. Such enterprise zone designation
12 shall only be made if the area that is to be included in the enterprise zone meets all the
13 requirements of section 135.205.**

14 2. Notwithstanding the provisions of section 135.230, to the contrary, any enterprise
15 zone designated in any county of the third classification with a township form of
16 government and with more than thirteen thousand seven hundred but less than thirteen
17 thousand eight hundred inhabitants or designated in any county of the third classification
18 without a township form of government and with more than fifteen thousand seven
19 hundred but less than fifteen thousand eight hundred inhabitants shall not expire before
20 December 31, 2015.

21 3. In addition to the number of enterprise zones authorized by the provisions of
22 sections 135.200 to 135.270, the department of economic development shall designate one
23 such zone in every county of the third classification without a township form of
24 government and with more than six thousand seven hundred fifty but less than six
25 thousand eight hundred fifty inhabitants. Such designation shall only be made if the area
26 in the county which is to be included in the enterprise zone meets all the requirements of
27 section 135.205.

**135.216. In addition to any other enterprise zones authorized in this chapter, the
2 department of economic development shall designate one enterprise zone within any county**

3 of the third classification without a township form of government and with more than
4 thirty-one thousand but less than thirty-one thousand one hundred inhabitants. Such
5 enterprise zone designation shall only be made if the area that is to be included in the
6 enterprise zone meets all the requirements of section 135.205.

135.261. In addition to all other enterprise zones authorized in this chapter, the
2 department of economic development shall designate one such zone in any county of the
3 third classification without a township form of government and with more than thirty-two
4 thousand five hundred but less than thirty-two thousand six hundred inhabitants. Such
5 enterprise zone designation shall only be made if such area which is to be included in the
6 enterprise zone meets all the requirements of section 135.205.