

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR

**HOUSE BILL NO. 833**

**92ND GENERAL ASSEMBLY**

3240S.06T

2004

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**AN ACT**

To repeal sections 67.478, 67.481, 67.484, 67.487, 67.490, 67.493, 67.793, 67.799, 67.1706, 67.1754, 144.757, 144.759, and 644.032, RSMo, and to enact in lieu thereof fifteen new sections relating to counties.

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

Section A. Sections 67.478, 67.481, 67.484, 67.487, 67.490, 67.493, 67.793, 67.799, 67.1706, 67.1754, 144.757, 144.759, and 644.032, RSMo, are repealed and fifteen new sections enacted in lieu thereof, to be known as sections 67.793, 67.799, 67.1706, 67.1754, 67.2000, 67.2500, 67.2505, 67.2510, 67.2515, 67.2520, 67.2525, 67.2530, 144.757, 144.759, and 644.032, to read as follows:

- 67.793. 1. Whenever the creation of a regional recreational district is desired, one hundred or more persons residing in the proposed district may file with the county clerk in which the greater part of the proposed district's population resides a petition requesting the creation of the regional recreational district. In case the proposed district is situated in two or more counties, the petition shall be filed in the office of the county clerk of the county in which the greater part of the proposed district's population resides, and the governing body of that county shall set the petition for public hearing and conduct such hearing. The petition shall set forth:
- (1) A description of the territory to be embraced in the proposed district;
  - (2) The names of the municipalities located within the proposed district;
  - (3) The name of the proposed district;
  - (4) The population of the proposed district;

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

12 (5) The assessed valuation of the proposed district;

13 (6) The type and rate of tax proposed to be levied; and

14 (7) A request that the question be submitted to the voters residing within the limits of  
15 the proposed regional recreational district whether they will establish a regional recreational  
16 district pursuant to the provisions of sections 67.792 to 67.799 to be known as ". . . Regional  
17 Recreational District" for the purpose of establishing, operating and maintaining public parks,  
18 neighborhood trails and recreational facilities within the boundaries of the district.

19 2. Whenever one hundred or more persons residing in an area contiguous to an existing  
20 regional recreational district desire to become part of that contiguous district, such persons may  
21 file a petition with the county clerk of the county in which the greater part of the population  
22 within the proposed addition to the district resides, and the governing body of that county shall  
23 set the petition for public hearing and conduct such hearing. The petition for the addition to a  
24 district shall set forth the same facts required for the creation of such a district pursuant to  
25 subdivisions (1) to (7) of subsection 1 of this section, except that:

26 (1) Subdivision (6) of subsection 1 of this section shall only permit the imposition of a  
27 tax on the real property located within the addition to the district; and

28 (2) Subdivision (7) of subsection 1 of this section shall, in the petition for the addition,  
29 be a request that the question be submitted to the voters residing within the limits of the proposed  
30 addition to the ". . . . . regional recreational district" as to whether or not they will become a  
31 part of the ". . . . . regional recreational district" for the purpose of establishing, operating and  
32 maintaining public parks, neighborhood trails and recreational facilities within the boundaries  
33 of such district.

34 3. The petition shall, after having been filed pursuant to this section, receive a hearing  
35 by the governing body of the county of filing pursuant to section 67.794.

36 4. The governing body of any county otherwise eligible to participate in a regional  
37 recreational district may directly authorize, by ordinance, the creation of a regional recreational  
38 district or an addition to an existing regional recreational district without the submission of a  
39 petition. The governing body of each such county shall, upon the enactment of such ordinance,  
40 submit the question of its approval to the voters in such county. If less than an entire county is  
41 proposed to participate in such a regional recreational district, the question may be submitted to  
42 the **registered and qualified** voters residing in the proposed [area, provided, that any regional  
43 recreational district which is supported by a sales tax shall be approved by the voters of the entire  
44 county] **district, or if no registered and qualified voters reside in the proposed district, to**  
45 **the owners of the real property located within the proposed district. Any ordinance**  
46 **adopted by the governing body creating a regional recreational district supported by a**  
47 **sales tax but with no registered and qualified voters residing within the proposed district**

48 **boundaries shall be unanimously approved by the owners of real property within the**  
49 **proposed district.** The proposed district shall consist only of those counties, or portions of  
50 counties, where the governing body has approved an ordinance to create a district.

67.799. 1. A regional recreational district may, by a majority vote of its board of  
2 directors, impose an annual property tax for the establishment and maintenance of public parks  
3 and recreational facilities and grounds within the boundaries of the regional recreational district  
4 not to exceed sixty cents per year on each one hundred dollars of assessed valuation on all  
5 property within the district, except that no such tax shall become effective unless the board of  
6 directors of the district submits to the voters of the district, at a county or state general, primary  
7 or special election, a proposal to authorize the tax.

8 2. The question shall be submitted in substantially the following form:

9 Shall a . . . . cent tax per one hundred dollars assessed valuation be levied for public  
10 parks and recreational facilities?

11  YES  NO

12

13 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
14 of the proposal, then the tax shall become effective. If a majority of the votes cast by the  
15 qualified voters voting are opposed to the proposal, then the board of directors shall have no  
16 power to impose the tax unless and until the board of directors of the district submits another  
17 proposal to authorize the tax and such proposal is approved by a majority of the qualified voters  
18 voting thereon.

19 3. The property tax authorized in subsections 1 and 2 of this section shall be levied and  
20 collected in the same manner as other ad valorem property taxes are levied and collected.

21 4. (1) A regional recreational district may, by a majority vote of its board of directors,  
22 impose a tax not to exceed one-half of one cent on all retail sales subject to taxation pursuant to  
23 sections 144.010 to 144.525, RSMo, for the purpose of funding the creation, operation and  
24 maintenance of public parks, recreational facilities and grounds within the boundaries of a  
25 regional recreational district. The tax authorized by this subsection shall be in addition to all  
26 other sales taxes allowed by law. No tax pursuant to this subsection shall become effective  
27 unless the board of directors submits to the voters of the district, at a county or state general,  
28 primary or special election, a proposal to authorize the tax, and such tax shall become effective  
29 only after the majority of the voters voting on such tax approve such tax. [Only whole counties  
30 participating in a regional recreational district shall be able to impose a sales tax pursuant to this  
31 subsection.]

32 (2) In the event the district seeks to impose a sales tax pursuant to this subsection, the  
33 question shall be submitted in substantially the following form:

34 Shall a . . . cent sales tax be levied on all retail sales within the district for public parks  
35 and recreational facilities?

36  YES  NO

37

38 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
39 of the proposal, then the tax shall become effective. If a majority of the votes cast by the  
40 qualified voters voting are opposed to the proposal, then the board of directors shall have no  
41 power to impose the tax unless and until another proposal to authorize the tax is submitted to the  
42 voters of the district and such proposal is approved by a majority of the qualified voters voting  
43 thereon. The provisions of sections 32.085 and 32.087, RSMo, shall apply to any tax approved  
44 pursuant to this subsection.

45 **5. As used in this section, "qualified voters" or "voters" means any individuals**  
46 **residing within the proposed district who are eligible to be registered voters and who have**  
47 **registered to vote under chapter 115, RSMo, or, if no individuals eligible and registered to**  
48 **vote reside within the proposed district, all of the owners of real property located within**  
49 **the proposed district who have unanimously petitioned for or consented to the adoption**  
50 **of an ordinance by the governing body imposing a tax authorized in this section. If the**  
51 **owner of the property within the proposed district is a political subdivision or corporation**  
52 **of the state, the governing body of such political subdivision or corporation shall be**  
53 **considered the owner for purposes of this section.**

67.1706. The metropolitan district shall have as its [primary] duty the development,  
2 operation and maintenance of a public system of interconnecting trails and parks throughout the  
3 counties comprising the district. **Nothing in this section shall restrict the district's entering**  
4 **into and initiating projects dealing with parks not necessarily connected to trails.** The  
5 metropolitan district shall supplement but shall not substitute for the powers and responsibilities  
6 of the other parks and recreation systems within the metropolitan district **or other conservation**  
7 **and environmental regulatory agencies** and shall have the power to contract with other parks  
8 and recreation systems as well as with other public and private entities. **Nothing in this section**  
9 **shall give the metropolitan district authority to regulate water quality, watershed or land**  
10 **use issues in the counties comprising the district.**

67.1754. The sales tax authorized in sections 67.1712 to 67.1721 shall be collected and  
2 allocated as follows:

3 (1) Fifty percent of the sales taxes collected from each county shall be deposited in the  
4 metropolitan park and recreational fund to be administered by the board of directors of the  
5 district to pay costs associated with the establishment, administration, operation and maintenance  
6 of public recreational facilities, parks, and public recreational grounds associated with the

7 district. Costs for office administration beginning in the second fiscal year of district operations  
8 may be up to but shall not exceed fifteen percent of the amount deposited pursuant to this  
9 subdivision;

10 (2) Fifty percent of the sales taxes collected from each county shall be returned to the  
11 source county for park purposes, except that forty percent of such fifty percent amount shall be  
12 reserved for distribution to municipalities within the county in the form of grant revenue sharing  
13 funds. Each county in the district shall establish its own process for awarding the grant proceeds  
14 to its municipalities for park purposes **provided the purposes of such grants are consistent**  
15 **with the purpose of the district.** In the case of a county of the first classification with a charter  
16 form of government having a population of at least nine hundred thousand inhabitants, such grant  
17 proceeds shall be awarded to municipalities by a municipal grant commission as described in  
18 section 67.1757.

**67.2000. 1. This section shall be known as the "Exhibition Center and Recreational  
2 Facility District Act".**

3 **2. Whenever not less than fifty owners of real property located within any county**  
4 **of the first classification with more than eighty-five thousand nine hundred but less than**  
5 **eighty-six thousand inhabitants, or any county of the second classification with more than**  
6 **fifty-two thousand six hundred but less than fifty-two thousand seven hundred inhabitants,**  
7 **or any county of the first classification with more than one hundred four thousand six**  
8 **hundred but less than one hundred four thousand seven hundred inhabitants, or any**  
9 **county of the third classification without a township form of government and with more**  
10 **than seventeen thousand nine hundred but less than eighteen thousand inhabitants, or any**  
11 **county of the first classification with more than thirty-seven thousand but less than thirty-**  
12 **seven thousand one hundred inhabitants, or any county of the third classification without**  
13 **a township form of government and with more than twenty-three thousand five hundred**  
14 **but less than twenty-three thousand six hundred inhabitants, or any county of the third**  
15 **classification without a township form of government and with more than nineteen**  
16 **thousand three hundred but less than nineteen thousand four hundred inhabitants, or any**  
17 **county of the first classification with more than seventy-one thousand three hundred but**  
18 **less than seventy-one thousand four hundred inhabitants, or any county of the first**  
19 **classification with more than one hundred ninety-eight thousand but less than one hundred**  
20 **ninety-nine thousand two hundred inhabitants, desire to create an exhibition center and**  
21 **recreational facility district, the property owners shall file a petition with the governing**  
22 **body of each county located within the boundaries of the proposed district requesting the**  
23 **creation of the district. The district boundaries may include all or part of the counties**  
24 **described in this section. The petition shall contain the following information:**

25           **(1) The name and residence of each petitioner and the location of the real property**  
26 **owned by the petitioner;**

27           **(2) A specific description of the proposed district boundaries, including a map**  
28 **illustrating the boundaries; and**

29           **(3) The name of the proposed district.**

30           **3. Upon the filing of a petition pursuant to this section, the governing body of any**  
31 **county described in this section may, by resolution, approve the creation of a district. Any**  
32 **resolution to establish such a district shall be adopted by the governing body of each**  
33 **county located within the proposed district, and shall contain the following information:**

34           **(1) A description of the boundaries of the proposed district;**

35           **(2) The time and place of a hearing to be held to consider establishment of the**  
36 **proposed district;**

37           **(3) The proposed sales tax rate to be voted on within the proposed district; and**

38           **(4) The proposed uses for the revenue generated by the new sales tax.**

39           **4. Whenever a hearing is held as provided by this section, the governing body of**  
40 **each county located within the proposed district shall:**

41           **(1) Publish notice of the hearing on two separate occasions in at least one**  
42 **newspaper of general circulation in each county located within the proposed district, with**  
43 **the first publication to occur not more than thirty days before the hearing, and the second**  
44 **publication to occur not more than fifteen days or less than ten days before the hearing;**

45           **(2) Hear all protests and receive evidence for or against the establishment of the**  
46 **proposed district; and**

47           **(3) Rule upon all protests, which determinations shall be final.**

48           **5. Following the hearing, if the governing body of each county located within the**  
49 **proposed district decides to establish the proposed district, it shall adopt an order to that**  
50 **effect; if the governing body of any county located within the proposed district decides to**  
51 **not establish the proposed district, the boundaries of the proposed district shall not include**  
52 **that county. The order shall contain the following:**

53           **(1) The description of the boundaries of the district;**

54           **(2) A statement that an exhibition center and recreational facility district has been**  
55 **established;**

56           **(3) The name of the district;**

57           **(4) The uses for any revenue generated by a sales tax imposed pursuant to this**  
58 **section; and**

59           **(5) A declaration that the district is a political subdivision of the state.**



96 designee, and all members shall reside in the district except that one nonlodging business  
97 owner, or their designee, and one lodging facility owner, or their designee, may reside  
98 outside the district. Each trustee shall be at least twenty-five years of age and a resident  
99 of this state. Of the initial trustees appointed from each county, two shall hold office for  
100 two years, and two shall hold office for four years. Trustees appointed after expiration of  
101 the initial terms shall be appointed to a four-year term by the governing body of the county  
102 the trustee represents, with the initially appointed trustee to remain in office until a  
103 successor is appointed, and shall take office upon being appointed. Each trustee may be  
104 reappointed. Vacancies shall be filled in the same manner in which the trustee vacating  
105 the office was originally appointed. The trustees shall not receive compensation for their  
106 services, but may be reimbursed for their actual and necessary expenses. The board shall  
107 elect a chair and other officers necessary for its membership. Trustees may be removed  
108 if:

109 (1) By a two-thirds vote, the board moves for the member's removal and submits  
110 such motion to the governing body of the county from which the trustee was appointed;  
111 and

112 (2) The governing body of the county from which the trustee was appointed, by a  
113 majority vote, adopts the motion for removal.

114 8. The board of trustees shall have the following powers, authority, and privileges:

115 (1) To have and use a corporate seal;

116 (2) To sue and be sued, and be a party to suits, actions, and proceedings;

117 (3) To enter into contracts, franchises, and agreements with any person or entity,  
118 public or private, affecting the affairs of the district, including contracts with any  
119 municipality, district, or state, or the United States, and any of their agencies, political  
120 subdivisions, or instrumentalities, for the funding, including without limitation interest  
121 rate exchange or swap agreements, planning, development, construction, acquisition,  
122 maintenance, or operation of a single exhibition center and recreational facilities or to  
123 assist in such activity. "Recreational facilities", means locations explicitly designated for  
124 public use where the primary use of the facility involves participation in hobbies or athletic  
125 activities;

126 (4) To borrow money and incur indebtedness and evidence the same by certificates,  
127 notes, or debentures, to issue bonds and use any one or more lawful funding methods the  
128 district may obtain for its purposes at such rates of interest as the district may determine.  
129 Any bonds, notes, and other obligations issued or delivered by the district may be secured  
130 by mortgage, pledge, or deed of trust of any or all of the property and income of the  
131 district. Every issue of such bonds, notes, or other obligations shall be payable out of



132 property and revenues of the district and may be further secured by other property of the  
133 district, which may be pledged, assigned, mortgaged, or a security interest granted for such  
134 payment, without preference or priority of the first bonds issued, subject to any agreement  
135 with the holders of any other bonds pledging any specified property or revenues. Such  
136 bonds, notes, or other obligations shall be authorized by resolution of the district board,  
137 and shall bear such date or dates, and shall mature at such time or times, but not in excess  
138 of thirty years, as the resolution shall specify. Such bonds, notes, or other obligations shall  
139 be in such denomination, bear interest at such rate or rates, be in such form, either coupon  
140 or registered, be issued as current interest bonds, compound interest bonds, variable rate  
141 bonds, convertible bonds, or zero coupon bonds, be issued in such manner, be payable in  
142 such place or places, and be subject to redemption as such resolution may provide,  
143 notwithstanding section 108.170, RSMo. The bonds, notes, or other obligations may be  
144 sold at either public or private sale, at such interest rates, and at such price or prices as the  
145 district shall determine;

146 (5) To acquire, transfer, donate, lease, exchange, mortgage, and encumber real and  
147 personal property in furtherance of district purposes;

148 (6) To refund any bonds, notes, or other obligations of the district without an  
149 election. The terms and conditions of refunding obligations shall be substantially the same  
150 as those of the original issue, and the board shall provide for the payment of interest at not  
151 to exceed the legal rate, and the principal of such refunding obligations in the same manner  
152 as is provided for the payment of interest and principal of obligations refunded;

153 (7) To have the management, control, and supervision of all the business and affairs  
154 of the district, and the construction, installation, operation, and maintenance of district  
155 improvements therein; to collect rentals, fees, and other charges in connection with its  
156 services or for the use of any of its facilities;

157 (8) To hire and retain agents, employees, engineers, and attorneys;

158 (9) To receive and accept by bequest, gift, or donation any kind of property;

159 (10) To adopt and amend bylaws and any other rules and regulations not in conflict  
160 with the constitution and laws of this state, necessary for the carrying on of the business,  
161 objects, and affairs of the board and of the district; and

162 (11) To have and exercise all rights and powers necessary or incidental to or  
163 implied from the specific powers granted by this section.

164 9. There is hereby created the "Exhibition Center and Recreational Facility District  
165 Sales Tax Trust Fund", which shall consist of all sales tax revenue collected pursuant to  
166 this section. The director of revenue shall be custodian of the trust fund, and moneys in  
167 the trust fund shall be used solely for the purposes authorized in this section. Moneys in



203 but the district shall not submit such a proposal to the voters sooner than twelve months  
204 from the date of the last extension submitted.

205       **12. Once the sales tax authorized by this section is abolished or terminated by any**  
206 **means, all funds remaining in the trust fund shall be used solely for the purposes approved**  
207 **in the ballot question authorizing the sales tax. The sales tax shall not be abolished or**  
208 **terminated while the district has any financing or other obligations outstanding; provided**  
209 **that any new financing, debt, or other obligation or any restructuring or refinancing of an**  
210 **existing debt or obligation incurred more than ten years after voter approval of the sales**  
211 **tax provided in this section or more than ten years after any voter approved extension**  
212 **thereof shall not cause the extension of the sales tax provided in this section or cause the**  
213 **final maturity of any financing or other obligations outstanding to be extended. Any funds**  
214 **in the trust fund which are not needed for current expenditures may be invested by the**  
215 **district in the securities described in subdivisions (1) to (12) of subsection 1 of section**  
216 **30.270, RSMo, or repurchase agreements secured by such securities. If the district**  
217 **abolishes the sales tax, the district shall notify the director of revenue of the action at least**  
218 **ninety days before the effective date of the repeal, and the director of revenue may order**  
219 **retention in the trust fund, for a period of one year, of two percent of the amount collected**  
220 **after receipt of such notice to cover possible refunds or overpayment of the sales tax and**  
221 **to redeem dishonored checks and drafts deposited to the credit of such accounts. After one**  
222 **year has elapsed after the effective date of abolition of the sales tax in the district, the**  
223 **director of revenue shall remit the balance in the account to the district and close the**  
224 **account of the district. The director of revenue shall notify the district of each instance of**  
225 **any amount refunded or any check redeemed from receipts due the district.**

226       **13. In the event that the district is dissolved or terminated by any means, the**  
227 **governing bodies of the counties in the district shall appoint a person to act as trustee for**  
228 **the district so dissolved or terminated. Before beginning the discharge of duties, the**  
229 **trustee shall take and subscribe an oath to faithfully discharge the duties of the office, and**  
230 **shall give bond with sufficient security, approved by the governing bodies of the counties,**  
231 **to the use of the dissolved or terminated district, for the faithful discharge of duties. The**  
232 **trustee shall have and exercise all powers necessary to liquidate the district, and upon**  
233 **satisfaction of all remaining obligations of the district, shall pay over to the county**  
234 **treasurer of each county in the district and take receipt for all remaining moneys in**  
235 **amounts based on the ratio the levy of each county bears to the total levy for the district**  
236 **in the previous three years or since the establishment of the district, whichever time period**  
237 **is shorter. Upon payment to the county treasurers, the trustee shall deliver to the clerk of**

238 the governing body of any county in the district all books, papers, records, and deeds  
239 belonging to the dissolved district.

67.2500. 1. The governing body of any city, town, or village that is within a first  
2 class county with a charter form of government with a population over two hundred fifty  
3 thousand that adjoins a first class county with a charter form of government with a  
4 population over nine hundred thousand, may establish a theater, cultural arts, and  
5 entertainment district in the manner provided in section 67.2505.

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

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

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

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

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

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

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

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

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

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

10 5. Subdistricts shall be formed for the purpose of voting upon proposals for the  
11 creation of the district or subsequent proposed subdistrict, voting upon the question of  
12 imposing a proposed sales tax, and for representation on the board of directors, and for  
13 no other purpose.

14 6. Whenever the creation of a district is desired, one or more registered voters from  
15 each subdistrict of the proposed district, or one or more property owners who collectively

16 own one or more parcels of real estate comprising at least a majority of the land situated  
17 in the proposed subdistricts within the proposed district, may file a petition requesting the  
18 creation of a district with the governing body of the city, town, or village within which the  
19 proposed district is to be established. The petition shall contain the following information:

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

22 (2) The name of the proposed district;

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

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

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

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

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

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

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

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

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

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

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

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

47 (3) The timeframe and manner for the filing of protests;

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

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

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

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

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

61           **(2) Hear all protests and receive evidence for or against the establishment of the**  
62 **proposed district; and**

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

64

65 **The costs of printing and publication of the notice shall be paid by the petitioners. If the**  
66 **district is organized pursuant to sections 67.2500 to 67.2530, the petitioners may be**  
67 **reimbursed for such costs out of the revenues received by the district.**

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

78           **10. If the results of the election conducted in accordance with section 67.2520 show**  
79 **that a majority of the votes cast were in favor of organizing the district and imposing the**  
80 **sales tax, the governing body may establish the proposed district in those subdistricts**  
81 **approving the question of creating the district and imposing the sales tax, by adopting an**  
82 **ordinance to that effect. The ordinance establishing the district shall contain the following:**

83           **(1) The description of the boundaries of the district and each subdistrict;**

84           **(2) A statement that a theater, cultural arts, and entertainment district has been**  
85 **established;**

86           **(3) A declaration that the district is a political subdivision of the state;**

87           **(4) The name of the district;**

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

90           **(6) The uses for any revenue generated by a sales tax imposed pursuant to this**  
91 **section;**

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

94           **(8) Such other matters as the governing body deems appropriate.**

95           **11. Any subdistrict that does not approve the creation of the district and imposing**  
96 **the sales tax shall not be a part of the district and the sales tax shall not be imposed until**  
97 **after the district board of directors has submitted another proposal for the inclusion of the**  
98 **area into the district and such proposal and the sales tax proposal are approved by a**  
99 **majority of the qualified voters in the subdistrict voting thereon. Such subsequent**  
100 **elections shall be conducted in accordance with section 67.2520; provided, however, that**  
101 **the district board of directors may place the question of the inclusion of a subdistrict**  
102 **within a district and the question of imposing a sales tax before the voters of a proposed**  
103 **subdistrict, and the municipal clerk, or circuit clerk if the district is formed by the circuit**  
104 **court, shall conduct the election. In subsequent elections, the election judges shall certify**  
105 **the election results to the district board of directors.**

**67.2510. As a complete alternative to the procedure establishing a district set forth**  
2 **in section 67.2505, a circuit court with jurisdiction over any city, town, or village that is**  
3 **within a first class county with a charter form of government with a population over two**  
4 **hundred fifty thousand that adjoins a first class county with a charter form of government**  
5 **with a population over nine hundred thousand, may establish a theater, cultural arts, and**  
6 **entertainment district in the manner provided in section 67.2515.**

**67.2515. 1. Whenever the creation of a theater, cultural arts, and entertainment**  
2 **district is desired, one or more registered voters from each subdistrict of the proposed**  
3 **district, or if there are no registered voters in a subdistrict, one or more property owners**  
4 **who collectively own one or more parcels of real estate comprising at least a majority of the**  
5 **land situated in the proposed subdistricts within the proposed district may file a petition**  
6 **with the circuit court requesting the creation of a theater, cultural arts, and entertainment**  
7 **district. The petition shall contain the following information:**

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

10           **(2) The name of the proposed district;**

11           **(3) A legal description of the proposed district, including a map illustrating the**  
12 **district boundaries, which shall be contiguous, and the division of the district into at least**

13 **five, but not more than fifteen, subdistricts that shall contain, or are projected to contain**  
14 **upon full development of the subdistricts, approximately equal populations;**

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

17 **(5) A request that the district be established;**

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

19 **(7) A proposal for a sales tax to fund the district initially, pursuant to the authority**  
20 **granted in sections 67.2500 to 67.2530, together with a request that the imposing of the**  
21 **sales tax be submitted to the qualified voters within the district;**

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

24 **(9) A request that the question of the establishment of the district be submitted to**  
25 **the qualified voters of the district;**

26 **(10) A signed statement that the petitioners are authorized to submit the petition**  
27 **to the circuit court; and**

28 **(11) Any other items the petitioners deem appropriate.**

29 **2. The circuit clerk of the county in which the petition is filed pursuant to this**  
30 **section shall present the petition to the judge, who shall thereupon set the petition for**  
31 **hearing not less than thirty days nor more than forty days after the filing. The judge shall**  
32 **cause publication of the notice of the hearing on two separate occasions in at least one**  
33 **newspaper of general circulation in the county where the proposed district is located, with**  
34 **the first publication to occur not more than thirty days before the hearing, and the second**  
35 **publication to occur not more than fifteen days or less than ten days before the hearing.**  
36 **The notice shall recite the following information:**

37 **(1) A description of the boundaries of the proposed district and each subdistrict;**

38 **(2) The time and place of a hearing to be held to consider establishment of the**  
39 **proposed district;**

40 **(3) The timeframe and manner for the filing of the petitions or answers in the case;**

41 **(4) The proposed sales tax rate to be voted on within the subdistricts of the**  
42 **proposed district;**

43 **(5) The proposed uses for the revenue generated by the new sales tax; and**

44 **(6) Such other matters as the circuit court may deem appropriate.**

45

46 **The costs of printing and publication of the notice shall be paid by the petitioners. If the**  
47 **district is organized pursuant to sections 67.2500 to 67.2530, the petitioners may be**  
48 **reimbursed for such costs out of the revenues received by the district.**



49           **3. Any registered voter or owner of real property within the proposed district may**  
50 **join in or file a petition supporting or answer opposing the creation of the district and**  
51 **seeking a judgment respecting these same issues; provided, however, that all pleadings**  
52 **must be filed with the court no later than five days before the case is heard.**

53           **4. The court shall hear the case without a jury. If the court determines the petition**  
54 **is defective or the proposed district or its plan of operation is unconstitutional, it shall enter**  
55 **its judgment to that effect and shall refuse to incorporate the district as requested in the**  
56 **pleadings. If the court determines the petition is not legally defective and the proposed**  
57 **district and plan of operation are not unconstitutional, the court shall order an election on**  
58 **the questions of the district creation and sales tax funding for voter approval and certify**  
59 **the questions to the circuit clerk. The election order shall include the date on which the**  
60 **ballots will be mailed to qualified electors, which shall be not sooner than the eighth**  
61 **Tuesday from the issuance of the order. The election regarding the incorporation of the**  
62 **district and the imposing the sales tax shall follow the procedure set forth in section**  
63 **67.2520, and shall be held pursuant to the order and certification by the circuit judge.**  
64 **Only those subdistricts approving the question of creating the district and imposing the**  
65 **sales tax shall become part of the district.**

66           **5. If the results of the election conducted in accordance with section 67.2520 show**  
67 **that a majority of the votes cast were in favor of organizing the district and imposing the**  
68 **sales tax, the circuit judge shall establish the proposed district in those subdistricts**  
69 **approving the question of creating the district and imposing the sales tax by issuing an**  
70 **order to that effect. The court shall determine and declare the district organized and**  
71 **incorporated and issue an order that includes the following:**

72           **(1) The description of the boundaries of the district and each subdistrict;**

73           **(2) A statement that a theater, cultural arts, and entertainment district has been**  
74 **established;**

75           **(3) A declaration that the district is a political subdivision of the state;**

76           **(4) The name of the district;**

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

79           **(6) The uses for any revenue generated by a sales tax imposed pursuant to this**  
80 **section;**

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

83           **(8) Such other matters as the circuit court deems appropriate.**

84           **6. Any subdistrict that does not approve the creation of the district and imposing**  
85 **the sales tax shall not be a part of the district and the sales tax shall not be imposed until**  
86 **after the district board of directors has submitted another proposal for the inclusion of the**  
87 **area into the district and such proposal and the sales tax proposal are approved by a**  
88 **majority of the qualified voters in the subdistrict voting thereon. Such subsequent**  
89 **elections shall be conducted in accordance with section 67.2520; provided, however, that**  
90 **the district board of directors may place the question of the inclusion of a subdistrict**  
91 **within a district and the question of imposing a sales tax in the proposed subdistrict before**  
92 **the voters of a proposed subdistrict, and the circuit clerk shall conduct the subsequent**  
93 **election. In subsequent elections, the election judges shall certify the election results to the**  
94 **district board of directors.**

95           **7. Any party having filed a petition or answer to a petition may appeal the circuit**  
96 **court's order or judgment in the same manner as provided for other appeals. Any order**  
97 **either refusing to incorporate the district or incorporating the district shall be a final**  
98 **judgment for purposes of appeal.**

**67.2520. 1. If a governing body or circuit court judge has certified the question**  
2 **regarding the district creation and sales tax funding for voter approval, the municipal**  
3 **clerk in which the district is located, or the circuit clerk if the order and certification has**  
4 **been by a circuit judge, shall conduct the election. The questions shall be submitted to the**  
5 **qualified voters of each subdistrict within the district boundaries who have filed an**  
6 **application pursuant to this section. The municipal clerk, or the circuit clerk if the district**  
7 **is being formed by the circuit court, shall publish notice of the election in at least one**  
8 **newspaper of general circulation in the county where the proposed district is located, with**  
9 **the publication to occur not more than fifteen days but not less than ten days before the**  
10 **date when applications for ballots will be accepted. The notice shall include a description**  
11 **of the district boundaries, the timeframe and manner of applying for a ballot, the questions**  
12 **to be voted upon, and where and when applications for ballots will be accepted. The**  
13 **municipal clerk, or circuit clerk if the district is being formed by the circuit court, shall**  
14 **also send a notice of the election to all registered voters in the proposed district, which shall**  
15 **include the information in the published notice. The costs of printing and publication of**  
16 **the notice, and mailing of the notices to registered voters, shall be paid by the petitioners.**  
17 **If the district is organized pursuant to sections 67.2500 to 67.2530, the petitioners may be**  
18 **reimbursed for such costs out of the revenues received by the district.**

19           **2. For elections held in subdistricts pursuant to this section, if all the owners of**  
20 **property in a subdistrict joined in the petition for formation of the district, such owners**  
21 **may cast their ballot by unanimous petition approving any measure submitted to them as**

22 subdistrict voters pursuant to this section. Each owner shall receive one vote per acre  
23 owned. Fractional votes shall be allowed. The petition shall be submitted to the municipal  
24 clerk, or the circuit court clerk if the district is being formed by the circuit court, who shall  
25 verify the authenticity of all signatures thereon. The filing of a unanimous petition shall  
26 constitute an election in the subdistrict under this section and the results of said election  
27 shall be entered pursuant to this section.

28       **3. The sales tax shall be not more than one-half of one percent on all retail sales**  
29 **within the district, which are subject to taxation pursuant to section 67.2530, to fund,**  
30 **promote, and provide educational, civic, musical, theatrical, cultural, concerts, lecture**  
31 **series, and related or similar entertainment events or activities, and to fund, promote, plan,**  
32 **design, construct, improve, maintain, and operate public improvements, transportation**  
33 **projects, and related facilities in the district.**

34       **4. Application for a ballot shall be made as provided in this subsection:**

35       **(1) Persons entitled to apply for a ballot in an election shall be:**

36       **(a) A resident registered voter of the district; or**

37       **(b) If there are no registered voters in a subdistrict, a person, including a**  
38 **corporation or other entity, which owns real property within the subdistrict. Each voter**  
39 **which is not an individual shall determine how to cast its vote as provided for in its articles**  
40 **of incorporation, articles of organization, articles of partnership, bylaws, or other**  
41 **document which sets forth an appropriate mechanism for the determination of the entity's**  
42 **vote. If a voter has no such mechanism, then its vote shall be cast as determined by a**  
43 **majority of the persons who run the day-to-day affairs of the voter. Each property owner**  
44 **shall receive one vote;**

45       **(2) Only persons entitled to apply for a ballot in elections pursuant to this**  
46 **subsection shall apply. Such persons shall apply with the municipal clerk, or the circuit**  
47 **clerk if the district is formed by the circuit court. Each person applying shall provide:**

48       **(a) Such person's name, address, mailing address, and phone number;**

49       **(b) An authorized signature; and**

50       **(c) Evidence that such person is entitled to vote. Such evidence shall be a copy of:**

51       **a. For resident individuals, proof of registration from the election authority;**

52       **b. For owners of real property, a tax receipt or deed or other document which**  
53 **evidences an equitable ownership, and identifies the real property by location;**

54       **(3) Applications for ballot applications shall be made not later than the fourth**  
55 **Tuesday before the ballots are mailed to qualified electors. The ballot of submission shall**  
56 **be in substantially the following form:**

57           **"Shall there be organized in ..... (here specifically describe the proposed district**  
 58 **boundaries), within the state of Missouri, a district, to be known as the "..... Theater,**  
 59 **Cultural Arts, and Entertainment District" for the purpose of funding, promoting, and**  
 60 **providing educational, civic, musical, theatrical, cultural, concerts, lecture series, and**  
 61 **related or similar entertainment events or activities, and funding, promoting, planning,**  
 62 **designing, constructing, improving, maintaining, and operating public improvements,**  
 63 **transportation projects, and related facilities in the district?**

64                                **YES**                                **NO**

65  
 66 **If you are in favor of the question, place an "X" in the box opposite "YES". If you are**  
 67 **opposed to the question, place an "X" in the box opposite "NO".**

68           **Shall the ..... (name of district) impose a sales tax of ..... (insert rate) to fund,**  
 69 **promote, and provide educational, civic, musical, theatrical, cultural, concerts, lecture**  
 70 **series, and related or similar entertainment events or activities, and to fund, promote, plan,**  
 71 **design, construct, improve, maintain, and operate public improvements, transportation**  
 72 **projects, and related facilities in the district?**

73                                **YES**                                **NO**

74  
 75 **If you are in favor of the question, place an "X" in the box opposite "YES". If you are**  
 76 **opposed to the question, place an "X" in the box opposite "NO";**

77           **(4) Not sooner than the fourth Tuesday after the deadline for applying for ballots,**  
 78 **the municipal clerk, or the circuit clerk if the district is being formed by the circuit court,**  
 79 **shall mail a ballot to each qualified voter who applied for a ballot pursuant to this**  
 80 **subsection along with a return addressed envelope directed to the municipal clerk or the**  
 81 **circuit clerk's office, with a sworn affidavit on the reverse side of such envelope for the**  
 82 **voter's signature. Such affidavit shall be in the following form:**

83           **"I hereby declare under penalties of perjury that I am qualified to vote, or to affix**  
 84 **my authorized signature in the name of an entity which is entitled to vote, in this election.**  
 85

86 **Authorized Signature .....**  
 87 **Printed Name of Voter Signature of notary or other officer authorized to administer oaths.**  
 88 **..... Mailing Address of Voter (if different)**  
 89 **Subscribed and sworn to before me this ..... day of ....., 20.."**

90           **(5) Each qualified voter shall have one vote, except as provided for in section**  
 91 **67.2520. Each voted ballot shall be signed with the authorized signature as provided for**  
 92 **in this subsection;**

93           **(6) Voted ballots shall be returned to the municipal clerk, or the clerk of the circuit**  
94 **court if the district is being formed by the circuit court, by mail or hand delivery no later**  
95 **than 5:00 p.m. on the fourth Tuesday after the date for mailing the ballots. The municipal**  
96 **clerk, or circuit clerk if the district is being formed by the circuit court, shall transmit all**  
97 **voted ballots to a beam of judges of not less than four, with an equal number from each of**  
98 **the two major political parties. The judges shall be selected by the city, town, or village,**  
99 **or the circuit clerk, from lists compiled by the county election authority. Upon receipt of**  
100 **the voted ballots the judges shall verify the authenticity of the ballots, canvass the votes,**  
101 **and certify the results. Certification by the election judges shall be final and shall be**  
102 **immediately transmitted to the governing body of the city, town, or village for further**  
103 **action, or the circuit judge for further action if the district is being formed by the circuit**  
104 **court. Any voter who applied for such election may contest the result in the same manner**  
105 **as provided in chapter 115, RSMo.**

**67.2525. 1. Each member of the board of directors shall have the following**  
2 **qualifications:**

3           **(1) As to those subdistricts in which there are registered voters, a resident**  
4 **registered voter in the subdistrict that he or she represents, or be a property owner or, as**  
5 **to those subdistricts in which there are not registered voters who are residents, a property**  
6 **owner or representative of a property owner in the subdistrict he or she represents;**

7           **(2) Be at least twenty-one years of age and a registered voter in the district.**

8           **2. The district shall be subdivided into at least five, but not more than fifteen**  
9 **subdistricts, which shall be represented by one representative on the district board of**  
10 **directors. All board members shall have terms of four years, including the initial board**  
11 **of directors. All members shall take office upon being appointed and shall remain in office**  
12 **until a successor is appointed by the mayor or chairman of the municipality in which the**  
13 **district is located, or elected by the property owners in those subdistricts without registered**  
14 **voters.**

15           **3. For those subdistricts which contain one or more registered voters, the mayor**  
16 **or chairman of the city, town, or village shall, with the consent of the governing body,**  
17 **appoint a registered voter residing in the subdistrict to the board of directors.**

18           **4. For those subdistricts which contain no registered voters, the property owners**  
19 **who collectively own one or more parcels of real estate comprising more than half of the**  
20 **land situated in each subdistrict shall meet and shall elect a representative to serve upon**  
21 **the board of directors. The clerk of the city, town, or village in which the petition was filed**  
22 **shall, unless waived in writing by all property owners in the subdistrict, give notice by**  
23 **causing publication to be made once a week for two consecutive weeks in a newspaper of**

24 **general circulation in the county, the last publication of which shall be at least ten days**  
25 **before the day of the meeting required by this section, to call a meeting of the owners of**  
26 **real property within the subdistrict at a day and hour specified in a public place in the city,**  
27 **town, or village in which the petition was filed for the purpose of electing members of the**  
28 **board of directors.**

29 **5. The property owners, when assembled, shall organize by the election of a**  
30 **temporary chairman and secretary of the meeting who shall conduct the election. An**  
31 **election shall be conducted for each subdistrict, with the eligible property owners voting**  
32 **in that subdistrict. At the election, each acre of real property within the subdistrict shall**  
33 **represent one share, and each owner, including corporations and other entities, may have**  
34 **one vote in person or for every acre of real property owned by such person within the**  
35 **subdistrict. Each voter which is not an individual shall determine how to cast its vote as**  
36 **provided for in its articles of incorporation, articles of organization, articles of partnership,**  
37 **bylaws, or other document which sets forth an appropriate mechanism for the**  
38 **determination of the entity's vote. If a voter has no such mechanism, then its vote shall be**  
39 **cast as determined by a majority of the persons who run the day-to-day affairs of the voter.**  
40 **The results of the meeting shall be certified by the temporary chairman and secretary to**  
41 **the municipal clerk if the district is established by a municipality described in this section,**  
42 **or to the circuit clerk if the district is established by a circuit court.**

43 **6. Successor boards shall be appointed or elected, depending upon the presence or**  
44 **absence of resident registered voters, by the mayor or chairman of a city, town, or village**  
45 **described in this section, or the property owners as set forth above; provided, however,**  
46 **that elections held by the property owners after the initial board is elected shall be certified**  
47 **to the municipal clerk of the city, town, or village where the district is located and the**  
48 **board of directors of the district.**

49 **7. Should a vacancy occur on the board of directors, the mayor or chairman of the**  
50 **city, town, or village if there are registered voters within the subdistrict, or a majority of**  
51 **the owners of real property in a subdistrict if there are not registered voters in the**  
52 **subdistrict, shall have the authority to appoint or elect, as set forth in this section, an**  
53 **interim director to complete any unexpired term of a director caused by resignation or**  
54 **disqualification.**

55 **8. The board shall possess and exercise all of the district's legislative and executive**  
56 **powers, including:**

57 **(1) The power to fund, promote and provide educational, civic, musical, theatrical,**  
58 **cultural, concerts, lecture series, and related or similar entertainment events or activities,**

59 and fund, promote, plan, design, construct, improve, maintain, and operate public  
60 improvements, transportation projects, and related facilities within the district;

61 (2) The power to accept and disburse tax or other revenue collected in the district;  
62 and

63 (3) The power to receive property by gift or otherwise.

64 9. Within thirty days after the selection of the initial directors, the board shall meet.  
65 At its first meeting and annually thereafter the board shall elect a chairman from its  
66 members.

67 10. The board shall appoint an executive director, district secretary, treasurer, and  
68 such other officers or employees as it deems necessary.

69 11. At the first meeting, the board, by resolution, shall define the first and  
70 subsequent fiscal years of the district, and shall adopt a corporate seal.

71 12. A simple majority of the board shall constitute a quorum. If a quorum exists,  
72 a majority of those voting shall have the authority to act in the name of the board, and  
73 approve any board resolution.

74 13. At the first meeting, the board, by resolution, shall receive the certification of  
75 the election regarding the sales tax, and may impose the sales tax in all subdistricts  
76 approving the imposing sales tax. In those subdistricts that approve the sales tax, the sales  
77 tax shall become effective on the first day of the first calendar quarter immediately  
78 following the action by the district board of directors imposing the tax.

79 14. Each director shall devote such time to the duties of the office as the faithful  
80 discharge thereof and may require and be reimbursed for his actual expenditures in the  
81 performance of his duties on behalf of the district. Directors may be compensated, but  
82 such compensation shall not exceed one hundred dollars per month.

83 15. In addition to all other powers granted by sections 67.2500 to 67.2530, the  
84 district shall have the following general powers:

85 (1) To sue and be sued in its own name, and to receive service of process, which  
86 shall be served upon the district secretary;

87 (2) To fix compensation of its employees and contractors;

88 (3) To enter into contracts, franchises, and agreements with any person or entity,  
89 public or private, affecting the affairs of the district, including contracts with any  
90 municipality, district, or state, or the United States, and any of their agencies, political  
91 subdivisions, or instrumentalities, for the funding, including without limitation, interest  
92 rate exchange or swap agreements, planning, development, construction, acquisition,  
93 maintenance, or operation of a district facility or to assist in such activity;

- 94           **(4) To acquire, develop, construct, equip, transfer, donate, lease, exchange,**  
95 **mortgage, and encumber real and personal property in furtherance of district purposes;**
- 96           **(5) To collect and disburse funds for its activities;**
- 97           **(6) To collect taxes and other revenues;**
- 98           **(7) To borrow money and incur indebtedness and evidence the same by certificates,**  
99 **notes, bonds, debentures, or refunding of any such obligations for the purpose of paying**  
100 **all or any part of the cost of land, construction, development, or equipping of any facilities**  
101 **or operations of the district;**
- 102           **(8) To own or lease real or personal property for use in connection with the exercise**  
103 **of powers pursuant to this subsection;**
- 104           **(9) To provide for the election or appointment of officers, including a chairman,**  
105 **treasurer, and secretary. Officers shall not be required to be residents of the district, and**  
106 **one officer may hold more than one office;**
- 107           **(10) To hire and retain agents, employees, engineers, and attorneys;**
- 108           **(11) To enter into entertainment contracts binding the district and artists, agencies,**  
109 **or performers, management contracts, contracts relating to the booking of entertainment**  
110 **and the sale of tickets, and all other contracts which relate to the purposes of the district;**
- 111           **(12) To contract with a local government, a corporation, partnership, or individual**  
112 **regarding funding, promotion, planning, designing, constructing, improving, maintaining,**  
113 **or operating a project or to assist in such activity;**
- 114           **(13) To contract for transfer to a city, town, or village such district facilities and**  
115 **improvements free of cost or encumbrance on such terms set forth by contract;**
- 116           **(14) To exercise such other powers necessary or convenient for the district to**  
117 **accomplish its purposes which are not inconsistent with its express powers.**
- 118           **16. A district may at any time authorize or issue notes, bonds, or other obligations**  
119 **for any of its powers or purposes. Such notes, bonds, or other obligations:**
- 120           **(1) Shall be in such amounts as deemed necessary by the district, including costs**  
121 **of issuance thereof;**
- 122           **(2) Shall be payable out of all or any portion of the revenues or other assets of the**  
123 **district;**
- 124           **(3) May be secured by any property of the district which may be pledged, assigned,**  
125 **mortgaged, or otherwise encumbered for payment;**
- 126           **(4) Shall be authorized by resolution of the district, and if issued by the district,**  
127 **shall bear such date or dates, and shall mature at such time or times, but not in excess of**  
128 **forty years, as the resolution shall specify;**



129           **(5) Shall be in such denomination, bear interest at such rates, be in such form, be**  
130 **issued as current interest bonds, compound interest bonds, variable rate bonds, convertible**  
131 **bonds, or zero coupon bonds, be issued in such manner, be payable in such place or places**  
132 **and subject to redemption as such resolution may provide; and**

133           **(6) May be sold at either public or private sale, at such interest rates, and at such**  
134 **price or prices as the district shall determine.**

135

136 **The provisions of this subsection are applicable to the district notwithstanding the**  
137 **provisions of section 108.170, RSMo.**

**67.2530. 1. Any note, bond, or other indebtedness of the district may be refunded**  
2 **at any time by the district by issuing refunding bonds in such amount as the district may**  
3 **deem necessary. Such bonds shall be subject to, and shall have the benefit of the foregoing**  
4 **provisions regarding notes, bonds, and other obligations. Without limiting the generality**  
5 **of the foregoing, refunding bonds may include amounts necessary to finance any premium,**  
6 **unpaid interest, and costs of issuance in connection with the refunding bonds. Any such**  
7 **refunding may be effected whether the bonds to be refunded then shall have matured or**  
8 **thereafter shall mature, either by sale of the refunding bonds and the application of the**  
9 **proceeds thereof to the payment of the obligations being refunded or the exchange of the**  
10 **refunding bonds for the obligations being refunded with the consent of the holders of the**  
11 **obligations being refunded.**

12           **2. Notes, bonds, or other indebtedness of the district shall be exclusively the**  
13 **responsibility of the district payable solely out of the district funds and property and shall**  
14 **not constitute a debt or liability of the state of Missouri or any agency or political**  
15 **subdivision of the state. Any notes, bonds, or other indebtedness of the district shall state**  
16 **on their face that they are not obligations of the state of Missouri or any agency or political**  
17 **subdivision thereof other than the district.**

18           **3. Any district may by resolution impose a district sales tax of up to one half of one**  
19 **percent on all retail sales made in such district that are subject to taxation pursuant to the**  
20 **provisions of sections 144.010 to 144.525, RSMo. Upon voter approval, and receiving the**  
21 **necessary certifications from the governing body of the municipality in which the district**  
22 **is located, or from the circuit court if the district was formed by the circuit court, the board**  
23 **of directors shall have the power to impose a sales tax at its first meeting, or any meeting**  
24 **thereafter. Voter approval of the question of the imposing sales tax shall be in accordance**  
25 **with section 67.2520 of this section. The sales tax shall become effective in those**  
26 **subdistricts that approve the sales tax on the first day of the first calendar quarter**

27 immediately following the passage of a resolution by the board of directors imposing the  
28 sales tax.

29       **4. In each district in which a sales tax has been imposed in the manner provided**  
30 **by this section, every retailer shall add the tax imposed by the district pursuant to this**  
31 **section to the retailer's sale price, and when so added, such tax shall constitute a part of the**  
32 **price, shall be a debt of the purchaser to the retailer until paid, and shall be recoverable**  
33 **at law in the same manner as the purchase price.**

34       **5. In order to permit sellers required to collect and report the sales tax authorized**  
35 **by this section to collect the amount required to be reported and remitted, but not to**  
36 **change the requirements of reporting or remitting tax or to serve as a levy of the tax, and**  
37 **in order to avoid fractions of pennies, the district may establish appropriate brackets**  
38 **which shall be used in the district imposing a tax pursuant to this section in lieu of those**  
39 **brackets provided in section 144.285, RSMo.**

40       **6. All revenue received by a district from the sales tax authorized by this section**  
41 **shall be deposited in a special trust fund and shall be used solely for the purposes of the**  
42 **district. Any funds in such special trust fund which are not needed for the district's**  
43 **current expenditures may be invested by the district board of directors in accordance with**  
44 **applicable laws relating to the investment of other district funds.**

45       **7. The sales tax may be imposed at a rate of up to one half of one percent on the**  
46 **receipts from the sale at retail of all tangible personal property or taxable services at retail**  
47 **within the district adopting such tax, if such property and services are subject to taxation**  
48 **by the state of Missouri pursuant to the provisions of sections 144.010 to 144.525, RSMo.**  
49 **Any district sales tax imposed pursuant to this section shall be imposed at a rate that shall**  
50 **be uniform throughout the subdistricts approving the sales tax.**

51       **8. The resolution imposing the sales tax pursuant to this section shall impose upon**  
52 **all sellers a tax for the privilege of engaging in the business of selling tangible personal**  
53 **property or rendering taxable services at retail to the extent and in the manner provided**  
54 **in sections 144.010 to 144.525, RSMo, and the rules and regulations of the director of**  
55 **revenue issued pursuant thereto; except that the rate of the tax shall be the rate imposed**  
56 **by the resolution as the sales tax and the tax shall be reported and returned to and**  
57 **collected by the district.**

58       **9. (1) On and after the effective date of any sales tax imposed pursuant to this**  
59 **section, the district shall perform all functions incident to the administration, collection,**  
60 **enforcement, and operation of the tax. The sales tax imposed pursuant to this section shall**  
61 **be collected and reported upon such forms and under such administrative rules and**  
62 **regulations as may be prescribed by the district.**

63           **(2) All such sales taxes collected by the district shall be deposited by the district in**  
64 **a special fund to be expended for the purposes authorized in this section. The district shall**  
65 **keep accurate records of the amount of money which was collected pursuant to this section,**  
66 **and the records shall be open to the inspection of officers of each district and the general**  
67 **public.**

68           **(3) The district may contract with the municipality that the district is within for the**  
69 **municipality to collect any revenue received by the district and, after deducting the cost of**  
70 **such collection, but not to exceed one percent of the total amount collected, deposit such**  
71 **revenue in a special trust account. Such revenue and interest may be applied by the**  
72 **municipality to expenses, costs, or debt service of the district at the direction of the district**  
73 **as set forth in a contract between the municipality and the district.**

74           **10. (1) All applicable provisions contained in sections 144.010 to 144.525, RSMo,**  
75 **governing the state sales tax, sections 32.085 and 32.087, RSMo, and section 32.057, RSMo,**  
76 **the uniform confidentiality provision, shall apply to the collection of the tax imposed by**  
77 **this section, except as modified in this section.**

78           **(2) All exemptions granted to agencies of government, organizations, persons, and**  
79 **to the sale of certain articles and items of tangible personal property and taxable services**  
80 **pursuant to the provisions of sections 144.010 to 144.525, RSMo, are hereby made**  
81 **applicable to the imposition and collection of the tax imposed by this section.**

82           **(3) The same sales tax permit, exemption certificate, and retail certificate required**  
83 **by sections 144.010 to 144.525, RSMo, for the administration and collection of the state**  
84 **sales tax shall satisfy the requirements of this section, and no additional permit or**  
85 **exemption certificate or retail certificate shall be required; except that the district may**  
86 **prescribe a form of exemption certificate for an exemption from the tax imposed by this**  
87 **section.**

88           **(4) All discounts allowed the retailer pursuant to the provisions of the state sales**  
89 **tax laws for the collection of and for payment of taxes pursuant to such laws are hereby**  
90 **allowed and made applicable to any taxes collected pursuant to the provisions of this**  
91 **section.**

92           **(5) The penalties provided in section 32.057, RSMo, and sections 144.010 to**  
93 **144.525, RSMo, for violation of those sections are hereby made applicable to violations of**  
94 **this section.**

95           **(6) For the purpose of a sales tax imposed by a resolution pursuant to this section,**  
96 **all retail sales shall be deemed to be consummated at the place of business of the retailer**  
97 **unless the tangible personal property sold is delivered by the retailer or the retailer's agent**  
98 **to an out-of-state destination or to a common carrier for delivery to an out-of-state**

99 destination. In the event a retailer has more than one place of business in this state which  
 100 participates in the sale, the sale shall be deemed to be consummated at the place of business  
 101 of the retailer where the initial order for the tangible personal property is taken, even  
 102 though the order must be forwarded elsewhere for acceptance, approval of credit,  
 103 shipment, or billing. A sale by a retailer's employee shall be deemed to be consummated  
 104 at the place of business from which the employee works.

105 (7) Subsequent to the initial approval by the voters and implementation of a sales  
 106 tax in the district, the rate of the sales tax may be increased, but not to exceed a rate of one-  
 107 half of one percent on retail sales as provided in this subsection. The election shall be  
 108 conducted in accordance with section 67.2520; provided, however, that the district board  
 109 of directors may place the question of the increase of the sales tax before the voters of the  
 110 district by resolution, and the municipal clerk of the city, town, or village which originally  
 111 conducted the incorporation of the district, or the circuit clerk of the court which originally  
 112 conducted the incorporation of the district, shall conduct the subsequent election. In  
 113 subsequent elections, the election judges shall certify the election results to the district  
 114 board of directors. The ballot of submission shall be in substantially the following form:

115 "Shall ..... (name of district) increase the ..... (insert amount) percent  
 116 district sales tax now in effect to ..... (insert amount) in the ..... (name of  
 117 district)?

118  YES  NO

119

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

122

123 If a majority of the votes cast on the proposal by the qualified voters of the district voting  
 124 thereon are in favor of the increase, the increase shall become effective December  
 125 thirty-first of the calendar year in which such increase was approved.

126 11. (1) There shall not be any election as provided for in this section while the  
 127 district has any financing or other obligations outstanding.

128 (2) The board, when presented with a petition signed by at least one-third of the  
 129 registered voters in a district that voted in the last gubernatorial election, or signed by at  
 130 least two-thirds of property owners of the district, calling for an election to dissolve and  
 131 repeal the tax shall submit the question to the voters using the same procedure by which  
 132 the imposing tax was voted. The ballot of submission shall be in substantially the following  
 133 form:

134 "Shall ..... (name of district) dissolve and repeal the ..... (insert  
135 amount) percent district sales tax now in effect in the ..... (name of district)?

136  YES  NO

137

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

140

141 Such subsequent elections for the repeal of the sales tax shall be conducted in accordance  
142 with section 67.2520; provided, however, that the district board of directors may place the  
143 question of the repeal of the sales tax before the voters of the district, and the municipal  
144 clerk of the city, town, or village which originally conducted the incorporation of the  
145 district, or the circuit clerk of the court which originally conducted the incorporation of  
146 the district, shall conduct the subsequent election. In subsequent elections the election  
147 judges shall certify the election results to the district board of directors.

148 (3) If a majority of the votes cast on the proposal by the qualified voters of the  
149 district voting thereon are in favor of repeal, that repeal shall become effective December  
150 thirty-first of the calendar year in which such repeal was approved or after the repayment  
151 of the district's indebtedness, whichever occurs later.

152 12. (1) At such time as the board of directors of the district determines that further  
153 operation of the district is not in the best interests of the inhabitants of the district, and that  
154 the district should dissolve, the board shall submit for a vote in an election held throughout  
155 the district the question of whether the district should be abolished. The question shall be  
156 submitted in substantially the following form:

157 "Shall the ..... theater, cultural arts, and entertainment district be abolished?

158  YES  NO

159

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

162 (2) The district board shall not propose the question to abolish the district while  
163 there are outstanding claims or causes of action pending against the district, while the  
164 district liabilities exceed its assets, while indebtedness of the district is outstanding, or while  
165 the district is insolvent, in receivership or under the jurisdiction of the bankruptcy court.  
166 Prior to submitting the question to abolish the district to a vote of the entire district, the  
167 state auditor shall audit the district to determine the financial status of the district, and  
168 whether the district may be abolished pursuant to law. The vote on the abolition of the  
169 district shall be conducted by the municipal clerk of the city, town, or village in which the

170 **district is located. The procedure shall be the same as in section 67.2520, except that the**  
171 **question shall be determined by the qualified voters of the entire district. No individual**  
172 **subdistrict may be abolished, except at such time as the district is abolished.**

173 **(3) While the district still exists, it shall continue to accrue all revenues to which it**  
174 **is entitled at law.**

175 **(4) Upon receipt by the board of directors of the district of the certification by the**  
176 **city, town, or village in which the district is located that the majority of those voting within**  
177 **the entire district have voted to abolish the district, and if the state auditor has determined**  
178 **that the district's financial condition is such that it may be abolished pursuant to law, then**  
179 **the board of directors of the district shall:**

180 **(a) Sell any remaining district real or personal property it wishes, and then transfer**  
181 **the proceeds and any other real or personal property owned by the district to the city,**  
182 **town, or village in which the district is located, including revenues due and owing the**  
183 **district, for its further use and disposition;**

184 **(b) Terminate the employment of any remaining district employees, and otherwise**  
185 **conclude its affairs;**

186 **(c) At a public meeting of the district, declare by a resolution of the board of**  
187 **directors passed by a majority vote that the district has been abolished effective that date;**

188 **(d) Cause copies of that resolution under seal to be filed with the secretary of state**  
189 **and the city, town, or village in which the district is located. Upon the completion of the**  
190 **final act specified in this subsection, the legal existence of the district shall cease.**

191 **(5) The legal existence of the district shall not cease for a period of two years after**  
192 **voter approval of the abolition.**

144.757. 1. Any county or municipality, except municipalities within a county [of the first  
2 classification] having a charter form of government with a population in excess of nine hundred  
3 thousand may, by a majority vote of its governing body, impose a local use tax if a local sales  
4 tax is imposed as defined in section 32.085, RSMo, at a rate equal to the rate of the local sales  
5 tax in effect in such county or municipality; provided, however, that no ordinance or order  
6 enacted pursuant to sections 144.757 to 144.761 shall be effective unless the governing body of  
7 the county or municipality submits to the voters thereof at a municipal, county or state general,  
8 primary or special election [prior to August 7, 1996, or after December 31, 1996,] a proposal to  
9 authorize the governing body of the county or municipality to impose a local use tax pursuant  
10 to sections 144.757 to 144.761. Municipalities within a county [of the first classification] having  
11 a charter form of government with a population in excess of nine hundred thousand may, upon  
12 voter approval received pursuant to paragraph (b) of subdivision (2) of subsection 2 of this  
13 section, impose a local use tax at the same rate as the local municipal sales tax with the revenues

14 from all such municipal use taxes to be distributed pursuant to subsection 4 of section 94.890,  
15 RSMo. The municipality shall within thirty days of the approval of the use tax imposed pursuant  
16 to paragraph (b) of subdivision (2) of subsection 2 of this section select one of the distribution  
17 options permitted in subsection 4 of section 94.890, RSMo, for distribution of all municipal use  
18 taxes.

19 2. (1) The ballot of submission, except for counties and municipalities described in  
20 subdivisions (2) and (3) of this subsection, shall contain substantially the following language:

21 Shall the ..... (county or municipality's name) impose a local use tax at the same rate  
22 as the total local sales tax rate, currently ..... (insert percent), provided that if the local sales  
23 tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or  
24 raised by the same action? A use tax return shall not be required to be filed by persons whose  
25 purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar  
26 year.

27  YES  NO

28

29 If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed  
30 to the question, place an "X" in the box opposite "No".

31 (2) (a) The ballot of submission in a county [of the first classification] having a charter  
32 form of government with a population in excess of nine hundred thousand shall contain  
33 substantially the following language:

34 For the purposes of [preventing neighborhood decline, demolishing old deteriorating and  
35 vacant buildings, rehabilitating historic structures, cleaning polluted sites, promoting  
36 reinvestment in neighborhoods by creating the (name of county) Community Comeback  
37 Program; and for the purposes of] **economic development and** enhancing local government  
38 services[;], shall the county [governing body] be authorized to collect a local use tax equal to the  
39 total of the existing county sales tax rate of (insert tax rate), provided that if the county sales tax  
40 is repealed, reduced or raised by voter approval, the local use tax rate shall also be repealed,  
41 reduced or raised by the same voter action? [The Community Comeback Program] **Fifty percent**  
42 **of the revenue shall be used for economic development, including retention, creation, and**  
43 **attraction of better paying jobs, and fifty percent shall be used for enhancing local**  
44 **government services. The county** shall be required to [submit] **make available** to the public  
45 [a] **an audited** comprehensive financial report detailing the management and use of **economic**  
46 **development** funds each year.

47 A use tax is the equivalent of a sales tax on purchases from out-of-state sellers by in-state buyers  
48 and on certain taxable business transactions. A use tax return shall not be required to be filed by

49 persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars  
50 in any calendar year.

51  YES  NO

52

53 If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed  
54 to the question, place an "X" in the box opposite "No".

55 (b) The ballot of submission in a municipality within a county [of the first classification]  
56 having a charter form of government with a population in excess of nine hundred thousand shall  
57 contain substantially the following language:

58 Shall the municipality be authorized to impose a local use tax at the same rate as the local  
59 sales tax by a vote of the governing body, provided that if any local sales tax is repealed, reduced  
60 or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised  
61 by the same action? A use tax return shall not be required to be filed by persons whose purchases  
62 from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

63  YES  NO

64

65 If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed  
66 to the question, place an "X" in the box opposite "No".

67 (3) The ballot of submission in any city not within a county shall contain substantially  
68 the following language:

69 Shall the ..... (city name) impose a local use tax at the same rate as the local sales  
70 tax, currently at a rate of ..... (insert percent) which includes the capital improvements sales tax  
71 and the transportation tax, provided that if any local sales tax is repealed, reduced or raised by  
72 voter approval, the respective local use tax shall also be repealed, reduced or raised by the same  
73 action? A use tax return shall not be required to be filed by persons whose purchases from  
74 out-of- state vendors do not in total exceed two thousand dollars in any calendar year.

75  YES  NO

76

77 If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed  
78 to the question, place an "X" in the box opposite "No".

79 (4) If any of such ballots are submitted on August 6, 1996, and if a majority of the votes  
80 cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the  
81 ordinance or order and any amendments thereto shall be in effect October 1, 1996, provided the  
82 director of revenue receives notice of adoption of the local use tax on or before August 16, 1996.  
83 If any of such ballots are submitted after December 31, 1996, and if a majority of the votes cast  
84 on the proposal by the qualified voters voting thereon are in favor of the proposal, then the



85 ordinance or order and any amendments thereto shall be in effect on the first day of the calendar  
86 quarter which begins at least forty-five days after the director of revenue receives notice of  
87 adoption of the local use tax. If a majority of the votes cast by the qualified voters voting are  
88 opposed to the proposal, then the governing body of the county or municipality shall have no  
89 power to impose the local use tax as herein authorized unless and until the governing body of the  
90 county or municipality shall again have submitted another proposal to authorize the governing  
91 body of the county or municipality to impose the local use tax [pursuant to sections 144.757 to  
92 144.761] and such proposal is approved by a majority of the qualified voters voting thereon.

93 3. The local use tax may be imposed at the same rate as the local sales tax then currently  
94 in effect in the county or municipality upon all transactions which are subject to the taxes  
95 imposed pursuant to sections 144.600 to 144.745 within the county or municipality adopting  
96 such tax; provided, however, that if any local sales tax is repealed or the rate thereof is reduced  
97 or raised by voter approval, the local use tax rate shall also be deemed to be repealed, reduced  
98 or raised by the same action repealing, reducing or raising the local sales tax.

99 4. For purposes of sections 144.757 to 144.761 [and sections 67.478 to 67.493, RSMo],  
100 the use tax may be referred to or described as the equivalent of a sales tax on purchases made  
101 from out-of-state sellers by in-state buyers and on certain intrabusiness transactions. Such a  
102 description shall not change the classification, form or subject of the use tax or the manner in  
103 which it is collected.

144.759. 1. All local use taxes collected by the director of revenue pursuant to sections  
2 144.757 to 144.761 on behalf of any county or municipality, less one percent for cost of  
3 collection, which shall be deposited in the state's general revenue fund after payment of  
4 premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited with the  
5 state treasurer in a local use tax trust fund, which fund shall be separate and apart from the local  
6 sales tax trust funds. The moneys in such local use tax trust fund shall not be deemed to be state  
7 funds and shall not be commingled with any funds of the state. The director of revenue shall keep  
8 accurate records of the amount of money in the trust fund which was collected in each county  
9 or municipality imposing a local use tax, and the records shall be open to the inspection of  
10 officers of the county or municipality and to the public. No later than the tenth day of each  
11 month, the director of revenue shall distribute all moneys deposited in the trust fund during the  
12 preceding month, except as provided in subsection 2 of this section, to the county or municipality  
13 treasurer, or such other officer as may be designated by the county or municipality ordinance or  
14 order, of each county or municipality imposing the tax authorized by sections 144.757 to  
15 144.761, the sum due the county or municipality as certified by the director of revenue.

16 2. The director of revenue shall distribute all moneys which would be due any county [of  
17 the first classification] having a charter form of government and having a population of nine

18 hundred thousand or more to the county treasurer or such other officer as may be designated by  
19 county ordinance, who shall distribute such moneys as follows: the portion of the use tax  
20 imposed by the county which equals one-half the rate of sales tax in effect for such county shall  
21 be disbursed to the county [community comeback trust authorized pursuant to sections 67.478  
22 to 67.493, RSMo] **treasurer for expenditure for economic development purposes, as defined**  
23 **in this section, subject to any qualifications and regulations adopted by ordinance of the**  
24 **county. Such ordinance shall require an audited comprehensive financial report detailing**  
25 **the management and use of economic development funds each year. Such ordinance shall**  
26 **require that the county and the municipal league of the county jointly prepare an economic**  
27 **development strategy to guide expenditures of funds and conduct an annual review of the**  
28 **strategy.** The treasurer or such other officer as may be designated by county ordinance shall  
29 distribute one-third of the balance to the county and to each city, town and village in group B  
30 according to section 66.620, RSMo, as modified by this section, a portion of the **two-thirds**  
31 remainder of such balance equal to the percentage ratio that the population of each such city,  
32 town or village bears to the total population of all such group B cities, towns and villages. For  
33 the purposes of this subsection, population shall be determined by the last federal decennial  
34 census or the latest census that determines the total population of the county and all political  
35 subdivisions therein. For the purposes of this subsection, each city, town or village in group A  
36 according to section 66.620, RSMo, but whose per capita sales tax receipts during the preceding  
37 calendar year pursuant to sections 66.600 to 66.630, RSMo, were less than the per capita  
38 countywide average of all sales tax receipts during the preceding calendar year, shall be treated  
39 as a group B city, town or village until the per capita amount distributed to such city, town or  
40 village equals the difference between the per capita sales tax receipts during the preceding  
41 calendar year and the per capita countywide average of all sales tax receipts during the preceding  
42 calendar year.

43 3. The director of revenue may authorize the state treasurer to make refunds from the  
44 amounts in the trust fund and credited to any county or municipality for erroneous payments and  
45 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of  
46 such counties or municipalities. If any county or municipality abolishes the tax, the county or  
47 municipality shall notify the director of revenue of the action at least ninety days prior to the  
48 effective date of the repeal, and the director of revenue may order retention in the trust fund, for  
49 a period of one year, of two percent of the amount collected after receipt of such notice to cover  
50 possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited  
51 to the credit of such accounts. After one year has elapsed after the effective date of abolition of  
52 the tax in such county or municipality, the director of revenue shall authorize the state treasurer  
53 to remit the balance in the account to the county or municipality and close the account of that

54 county or municipality. The director of revenue shall notify each county or municipality of each  
55 instance of any amount refunded or any check redeemed from receipts due the county or  
56 municipality.

57 4. Except as modified in sections 144.757 to 144.761, all provisions of sections 32.085  
58 and 32.087, RSMo, applicable to the local sales tax, except for subsection 12 of section 32.087,  
59 RSMo, and all provisions of sections 144.600 to 144.745 shall apply to the tax imposed pursuant  
60 to sections 144.757 to 144.761, and the director of revenue shall perform all functions incident  
61 to the administration, collection, enforcement, and operation of the tax.

62 **5. As used in this section, “economic development” means:**

63 **(1) Expenditures for infrastructure and sites for business development or for public**  
64 **infrastructure projects;**

65 **(2) Purchase, assembly, clearance, demolition, environmental remediation,**  
66 **planning, redesign, reconstruction, rehabilitation, construction, modification or expansion**  
67 **of land, structures and facilities, public or private, either in connection with a reinvestment**  
68 **project in areas with underused, derelict, economically challenged, or environmentally**  
69 **troubled sites, or in connection with business attraction, retention, creation, or expansion;**

70 **(3) Expenditures related to business district activities such as facade improvements,**  
71 **landscaping, street lighting, sidewalk construction, trash receptacles, park benches, and**  
72 **other public improvements;**

73 **(4) Expenditures for the provision of workforce training and educational support**  
74 **in connection with job creation, retention, attraction, and expansion;**

75 **(5) Development and operation of business incubator facilities, and related**  
76 **entrepreneurship support programs;**

77 **(6) Capitalization or guarantee of small business loan or equity funds;**

78 **(7) Expenditures for business development activities including attraction, creation,**  
79 **retention, and expansion; and**

80 **(8) Related administration expenses of economic and community development**  
81 **programs, provided that such expenses shall not exceed five percent of annual revenues.**

644.032. 1. The governing body of any municipality or county may impose, by ordinance  
2 or order, a sales tax in an amount not to exceed one-half of one percent on all retail sales made  
3 in such municipality or county which are subject to taxation under the provisions of sections  
4 144.010 to 144.525, RSMo. The tax authorized by this section and section 644.033 shall be in  
5 addition to any and all other sales taxes allowed by law, except that no ordinance or order  
6 imposing a sales tax under the provisions of this section and section 644.033 shall be effective  
7 unless the governing body of the municipality or county submits to the voters of the municipality  
8 or county, at a municipal, county or state general, primary or special election, a proposal to

9 authorize the governing body of the municipality or county to impose a tax, **provided, that the**  
10 **tax authorized by this section shall not be imposed on the sales of food, as defined in section**  
11 **144.014, RSMo, when imposed by any county with a charter form of government and with**  
12 **more than one million inhabitants.**

13 2. The ballot of submission shall contain, but need not be limited to, the following  
14 language:

15 Shall the municipality (county) of ..... impose a sales tax of ..... (insert amount)  
16 for the purpose of providing funding for ..... (insert either storm water control, or local  
17 parks, or storm water control and local parks) for the municipality (county)?

18  YES  NO

19

20 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
21 of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the  
22 first day of the second quarter after the director of revenue receives notice of adoption of the tax.  
23 If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the  
24 governing body of the municipality or county shall not impose the sales tax authorized in this  
25 section and section 644.033 until the governing body of the municipality or county resubmits  
26 another proposal to authorize the governing body of the municipality or county to impose the  
27 sales tax authorized by this section and section 644.033 and such proposal is approved by a  
28 majority of the qualified voters voting thereon; however, in no event shall a proposal pursuant  
29 to this section and section 644.033 be submitted to the voters sooner than twelve months from  
30 the date of the last proposal pursuant to this section and section 644.033.

31 3. All revenue received by a municipality or county from the tax authorized under the  
32 provisions of this section and section 644.033 shall be deposited in a special trust fund and shall  
33 be used to provide funding for storm water control or for local parks, or both, within such  
34 municipality or county, provided that such revenue may be used for local parks outside such  
35 municipality or county if the municipality or county is engaged in a cooperative agreement  
36 pursuant to section 70.220, RSMo.

37 4. Any funds in such special trust fund which are not needed for current expenditures may  
38 be invested by the governing body in accordance with applicable laws relating to the investment  
39 of other municipal or county funds.

2 [67.478. Sections 144.757 to 144.761, RSMo, and sections 67.478 to 67.493  
3 shall be known and may be cited as the “Community Comeback Act”.]

2 [67.481. As used in sections 144.757 to 144.761, RSMo, and sections 67.478  
to 67.493, the following terms mean:

3 (1) "Community comeback plan" and "plan", a comprehensive countywide  
4 plan adopted by the community comeback trust board and the governing body of the  
5 county that identifies potential areas for reinvestment, projects and strategies to  
6 promote neighborhood reinvestment throughout the county, and that clearly identifies  
7 on a map the priority comeback communities. The plan shall be a five-year strategic  
8 and operating plan, complete with goals, objectives, targets and mechanisms or  
9 methods of measuring accomplishments, revised annually;

10 (2) "Community comeback program", "community comeback trust" and  
11 "trust", a fund held in the treasury of the county which shall be the repository for all  
12 taxes and other moneys raised pursuant to sections 144.757 to 144.761, RSMo, and  
13 sections 67.478 to 67.493, and authorized by the governing body of the county for the  
14 purposes of promoting neighborhood reinvestment;

15 (3) "Community comeback program board", "community comeback trust  
16 board" and "board", the entity established pursuant to sections 67.478 to 67.493 that  
17 is responsible for administering the comeback community trust;

18 (4) "Community comeback trust citizen advisory committee" and "advisory  
19 committee", an eleven-member committee established pursuant to sections 67.478  
20 to 67.493 that is responsible for advising the community comeback fund board on the  
21 best methods of promoting neighborhood reinvestment;

22 (5) "Eligible expenses", costs qualified for funding through the community  
23 comeback trust which are:

24 (a) Incurred for the purchase, assembly, clearance, demolition and  
25 environmental remediation of land, structures and facilities, public or private, either  
26 as part of a neighborhood reinvestment project or to prepare sites for future use in  
27 areas with underutilized, derelict, economically challenged or environmentally  
28 troubled sites;

29 (b) Related to planning, redesign, clearance, reconstruction, structure  
30 rehabilitation, site remediation, construction, modification, expansion, remodeling,  
31 structural alteration, replacement or renovation of any structure in a priority  
32 comeback community;

33 (c) Expended for capital improvements or infrastructure improvements to  
34 facilitate economic development;

35 (d) Expended for residential redevelopment including, but not limited to,  
36 buyouts, land-assembly costs, infrastructure improvements and costs associated with  
37 preparing sites for housing construction; professional service expenses such as  
38 architectural, planning, engineering, design, marketing or other related expenses;

39 (e) Related to community improvement district or special business district  
40 expenses such as facade improvements, landscaping, street lighting, sidewalk  
41 construction, trash receptacles, park benches and other public improvements;

42 (f) Expenses related to facilitating transit-oriented developments, home  
43 improvement and home buyer loan programs; and

44 (g) Expenses eligible for funding through the select neighborhood action  
45 program;

46 (6) “Neighborhood reinvestment project” and “project”, the planning,  
47 development, redesign, clearance, reconstruction or rehabilitation or any combination  
48 thereof in order to improve those residential, commercial, industrial, public or other  
49 structures or spaces and the infrastructure serving them as may be appropriate or  
50 necessary in the interest of the general welfare;

51 (7) “Petition”, a petitioner's request for funding made to the community  
52 comeback trust;

53 (8) “Petitioner”, the governing body of any municipality, the governing body  
54 of the county, any land clearance for redevelopment authority within the county  
55 organized pursuant to chapter 99, RSMo, or any not-for-profit economic  
56 development organization with a governing board not less than two-thirds of the  
57 members of which are appointed by the chief elected official of the county or by one  
58 or more organizations with governing boards appointed by the chief elected official;

59 (9) “Priority comeback community”, an area in a county which encompasses  
60 an entire United States census block group and has a median household income  
61 below the median household income for such entire county;

62 (10) “Priority comeback project”, a funding proposal submitted to a  
63 community comeback trust by a petitioner whose area is substantially within a  
64 priority comeback community;

65 (11) “Proposal”, a petitioner's funding request for the eligible expenses of a  
66 neighborhood reinvestment project submitted to a trust by a petitioner;

67 (12) “Select neighborhood action program” and “SNAP”, a grant program,  
68 administered and funded pursuant to subsection 5 of section 67.490;

69 (13) “Select neighborhood action program applicant” and “SNAP applicant”,  
70 a neighborhood organization or not-for-profit organization whose mission is  
71 consistent with the community comeback plan. The organization shall have a  
72 municipal sponsor or a county sponsor if the area is unincorporated. The organization  
73 shall have been in existence for at least six months and meet at least once a year in  
74 order to be eligible for a SNAP grant;

75 (14) “SNAP grant”, an endowment of money by the board to a SNAP  
76 applicant pursuant to subsection 5 of section 67.490.]

77

2 [67.484. 1. A community comeback trust may be created, incorporated and  
3 managed pursuant to this section by any county of the first classification with a  
4 charter form of government and a population of at least nine hundred thousand  
5 inhabitants according to the last decennial census, and may exercise the powers given  
6 to such trust pursuant to sections 67.478 to 67.493. A trust may sue and be sued,  
7 issue general revenue bonds and receive county use tax revenue pursuant to the  
8 limitations of this section. A trust shall have as its primary duties the prevention of  
9 neighborhood decline, the demolition of old deteriorating and vacant buildings,  
10 rehabilitating historic structures, the cleaning of polluted sites and the promotion of  
neighborhood reinvestment where such investment is essential to reverse or stabilize

11 a stagnant or declining pattern in household income, assessed values, occupancies  
12 and related characteristics.

13 2. The governing body of the county is hereby authorized to impose by  
14 ordinance a local use tax pursuant to sections 144.757 to 144.761, RSMo, for the  
15 purpose of funding the creation, operation and maintenance of a community  
16 comeback trust, as well as to provide revenue to the county and municipalities  
17 authorized to receive moneys generated by said tax pursuant to section 144.759,  
18 RSMo. The governing body of the county enacting such an ordinance shall submit  
19 to the voters of such county a proposal to approve its ordinance imposing the tax.  
20 Such ordinance shall become effective only after the majority of the voters voting on  
21 such ordinance approve such ordinance. The question shall be submitted to the voters  
22 in the county pursuant to section 144.757, RSMo.

23 3. (1) The community comeback trust board shall be composed of seven  
24 members as provided in this subsection. No member shall be an elected official,  
25 employee or contractor of the county or any municipality within the county or of any  
26 organization representing the county or any municipality within the county. Board  
27 members shall be citizens of the United States and shall reside within the county. No  
28 two members of the board shall be residents of the same county council district of  
29 such county. No member shall receive compensation for performance of board duties.  
30 No member shall be financially interested directly or indirectly in any contract  
31 entered into by the trust or by any petitioner. In the event that any property owned by  
32 a board member or the immediate family member of such board member is located  
33 in a priority comeback community, the member shall disclose such information to the  
34 board and abstain from any formal or informal actions regarding any project in that  
35 neighborhood.

36 (2) The chief elected official of any municipality wholly within the county  
37 and any member of the governing body of the county shall nominate individuals to  
38 serve on the board by providing a list of nominees to the county executive who shall  
39 appoint the members. Of the total members, at least four shall be residents of  
40 municipalities within the county and at least one shall have each of the following  
41 professions: a professional architect or engineer; an urban planner or design  
42 professional; a developer or builder; and an accountant or an attorney.

43 (3) The seat of a member shall be automatically vacated when the member  
44 changes his or her residence so as to no longer conform to the terms of the  
45 requirements of the member's appointment. The board shall promptly notify the  
46 county executive of such a change of residence, the pending expiration of any  
47 member's term, any member's need to vacate his or her seat or any vacancy on the  
48 board. A member whose term has expired shall continue to serve until the successor  
49 is appointed and qualified.

50 (4) Upon the passage of an ordinance by the governing body of the county  
51 establishing the community comeback trust, the governing body of the county shall,  
52 within ten days, send by United States mail written notice of the passage of the  
53 ordinance to the chief elected officials of each municipality wholly in the county.

54 (5) Each of the nominating authorities described in subdivision (2) of this  
55 subsection shall, within forty-five days of the passage of the ordinance establishing  
56 the board or within fourteen days of being notified of a board vacancy by the county  
57 executive, submit its list of nominees to the county executive. The county executive  
58 shall appoint members within sixty days of the passage of the ordinance or within  
59 thirty days of being notified by the board of a vacancy on the board. If a list of  
60 nominees is not submitted by the time specified, the county executive shall appoint  
61 the members using the criteria set forth in this section.

62 (6) At the first meeting of the board appointed after the effective date of the  
63 ordinance, the members shall choose by lot the length of their terms. Three shall  
64 serve for one year, two for two years, and two for three years. All succeeding  
65 members shall serve terms of three years. Terms shall end on December thirty-first  
66 of the respective year. No member shall serve more than two consecutive full terms.  
67 Full terms shall include any term longer than two years.

68 4. The board, its employees and subcontractors shall be subject to the  
69 regulation of conflicts of interest as defined in sections 105.450 to 105.498, RSMo,  
70 and to the requirements for open meetings and records pursuant to chapter 610,  
71 RSMo. The board shall enact and adopt all rules, regulations and procedures that are  
72 reasonably necessary to achieve the objectives of sections 67.478 to 67.493, and not  
73 inconsistent therewith, no sooner than twenty-seven calendar days after notifying all  
74 municipalities and the county of the proposed rule, regulation or procedure enactment  
75 or change. Notice may be given by ordinary mail, by electronic mail or by publishing  
76 in at least one newspaper of general circulation qualified to publish legal notices. No  
77 new or amended rule, regulation or procedure shall apply retroactively to any  
78 proposal pending before the trust without the agreement of the petitioner. The board  
79 shall have the exclusive control of the expenditures of all money collected to the  
80 credit of the trust, subject to annual appropriations by the governing body of the  
81 county. The county government shall provide the trust staff. No more than five  
82 percent of the trust's annual budget shall be used for the trust's annual administrative  
83 expenses.

84 5. The trust is authorized to issue bonds, notes or other obligations for any  
85 proposal, and to refund such bonds, notes or obligations, as provided in subsection  
86 3 of this section; and to receive and liquidate property, both real and personal, or  
87 money which has been granted, donated, devised or bequeathed to the district. The  
88 trust shall not have any power of eminent domain.

89 6. (1) Bonds issued pursuant to this section shall be issued pursuant to a  
90 resolution adopted by five-sevenths of the board which shall set out the estimated  
91 cost to the trust of the proposed improvements, and shall further set out the amount  
92 of the bonds to be issued, their purpose or purposes, their date or dates, denomination  
93 or denominations, rate or rates of interest, time or times of payment, both of principal  
94 and of interest, place or places of payment and all other details in connection with  
95 such bonds. Any such bonds may be subject to such provision for redemption prior



96 to maturity, with or without premium, and at such times and upon such conditions  
97 as may be provided by the resolution.

98 (2) Notwithstanding the provisions of section 108.170, RSMo, such bonds  
99 shall bear interest at rate or rates determined by the trust, shall mature within a period  
100 not exceeding twenty years and may be sold at public or private sale for not less than  
101 ninety-five percent of the principal amount of such bonds. Bonds issued by the trust  
102 shall possess all of the qualities of negotiable instruments pursuant to the laws of this  
103 state.

104 (3) Such bonds may be payable to the bearer, may be registered or coupon  
105 bonds, and, if payable to bearer, may contain such registration provisions as to either  
106 principal and interest, or principal only, as may be provided in the resolution  
107 authorizing such bonds, which resolution may also provide for the exchange of  
108 registered and coupon bonds. Such bonds and any coupons attached thereto shall be  
109 signed in such manner and by such officers of the district as may be provided by the  
110 resolution authorizing the bonds. The trust may provide for the replacement of any  
111 bond which has become mutilated, destroyed or lost.

112 (4) Bonds issued by the trust shall be payable as to principal, interest and  
113 redemption premium, if any, out of all or any part of the trust fund, including  
114 revenues derived from use taxes. Neither the board members nor any person  
115 executing the bonds shall be personally liable on such bonds by reason of the  
116 issuance of such bonds. Bonds issued pursuant to this section shall not constitute a  
117 debt, liability or obligation of this state, or any political subdivision of this state, nor  
118 shall any such obligations be a pledge of the faith and credit of this state, but shall be  
119 payable solely from the revenues and assets held by the trust. The issuance of bonds  
120 pursuant to this section shall not directly, indirectly or contingently obligate this state  
121 or any political subdivision of this state to levy any form of taxation for such bonds  
122 or to make any appropriation for their payment. Each obligation or bond issued  
123 pursuant to this section shall contain on its face a statement to the effect that the trust  
124 shall not be obligated to pay such bond nor interest on such bond except from the  
125 revenues received by the trust or assets of the trust lawfully pledged for such trust,  
126 and that neither the faith or credit nor the taxing power of this state or of any political  
127 subdivision of this state is pledged to the payment of the principal of or the interest  
128 on such obligation or bond. The proceeds of such bonds shall be disbursed in such  
129 manner and pursuant to such restrictions as the trust may provide in the resolution  
130 authorizing the issuance of such bonds.

131 (5) The trust may issue negotiable refunding bonds for the purpose of  
132 refunding, extending or unifying the whole or any part of such bonds then  
133 outstanding, or any bonds, notes or other obligations issued by any other public  
134 agency, public body or political subdivision in connection with any facilities or land  
135 to be acquired, leased or subleased by the trust, which refunding bonds shall not  
136 exceed the amount necessary to refund the principal of the outstanding bonds to be  
137 refunded and the accrued interest on such bonds to the date of such refunding,  
138 together with any redemption premium, amounts necessary to establish reserve and

139 escrow funds and all costs and expenses incurred in connection with the refunding.  
 140 The board shall provide for the payment of interest and principal of such refunding  
 141 bonds in the same manner as was provided for the payment of interest and principal  
 142 of the bonds refunded.

143 (6) In the event that any of the members or officers of the trust whose names  
 144 appear on any bonds or coupons shall cease to be on the board or cease to be an  
 145 officer before the delivery of such bonds, such signatures shall remain valid and  
 146 sufficient for all purposes, the same as if such board members or officers had  
 147 remained in office until such delivery.

148 (7) The trust is hereby declared to be performing a public function and bonds  
 149 of the trust are declared to be issued for an essential public and governmental  
 150 purpose, and, accordingly, interest on such bonds and income from such bonds shall  
 151 be exempt from income taxation by this state. All purchases in excess of ten thousand  
 152 dollars shall be made pursuant to the lowest and best bid standard as provided in  
 153 section 34.040, RSMo, or pursuant to the lowest and best proposal standard as  
 154 provided in section 34.042, RSMo. The board of the trust shall have the same  
 155 discretion, powers and duties as the commissioner of administration has in sections  
 156 34.040 and 34.042, RSMo.]

157

[67.487. 1. Within fourteen days of the first meeting of the first board  
 2 appointed following the effective date of the ordinance, the board shall notify by mail  
 3 the chief elected officials of all municipalities wholly within the county, the chief  
 4 elected official of the county and all the members of the governing body of the  
 5 county of the requirement to conduct a planning process and adopt a community  
 6 comeback plan.

7 2. The board shall solicit full citizen, county and municipal involvement in  
 8 developing the plan. The board shall conduct public hearings throughout the county  
 9 to seek input regarding the plan, and may convene meetings with the appropriate staff  
 10 of the county and municipalities in order to seek input and to coordinate the logistics  
 11 of producing the plan. A copy of the plan shall be sent to the chief elected official of  
 12 every municipality wholly within the county, the chief elected official of the county  
 13 and each member of the governing body of the county.

14 3. The board and the governing body of the county shall annually revise and  
 15 adopt a plan.

16 4. Each plan shall include a map of the county, as well as a text enumerating  
 17 the efforts expected each year in the various subregions of the county. Each plan shall  
 18 address the factors that are causing or are likely to cause one or more of the  
 19 following:

- 20 (1) Assessed values below the county average;
- 21 (2) Median household incomes below the county median;
- 22 (3) An unemployment rate above the county average;
- 23 (4) A reduction in the number of jobs with an emphasis upon those jobs  
 24 paying average or above-average salaries;

- 25 (5) Failure to keep pace with the average growth rate in home values in the  
26 metropolitan area or county; and
- 27 (6) A high vacancy rate among residential, commercial and industrial  
28 properties.
- 29 5. Each plan shall include an analysis of the condition of the housing stock  
30 in the various subregions of the county, a market analysis of the home-buying market  
31 with a focus on the impediments to attracting home buyers to those subregions and  
32 an analysis of the physical infrastructure needs that prevent economic growth.
- 33 6. The board may consider the following factors when determining the  
34 appropriate areas and strategies for investment:
- 35 (1) Buildings that are unsafe or unhealthy for occupancy due to code  
36 violations, dilapidation, defective design, faulty utilities or any other negative  
37 conditions;
- 38 (2) Factors that prevent or substantially hinder the economically viable use  
39 of buildings or lots, such as substandard design, inadequate size, lack of parking or  
40 any other conditions;
- 41 (3) Incompatible uses that prevent economic development;
- 42 (4) Subdivided lots of irregular form and shape and inadequate size for  
43 proper usefulness that have multiple ownership;
- 44 (5) Depreciated or stagnant property values, including properties that contain  
45 hazardous wastes;
- 46 (6) Abnormally high business vacancies, abnormally low lease rates, high  
47 turnover rates, abandoned buildings, or excessive vacant lots within an area  
48 developed for urban use and served by utilities;
- 49 (7) The existence of conditions that are not conducive to public safety; and
- 50 (8) The lack of necessary commercial facilities normally found in  
51 neighborhoods.
- 52 7. Each plan shall outline specific strategies to address the problems facing  
53 the various subregions and neighborhoods within the county. The plan shall also  
54 discuss the partnerships that can be made with federal, state and local governments,  
55 as well as businesses, labor organizations, nonprofit groups, religious and other  
56 groups and citizens to help implement the plan. These strategies shall include  
57 estimated costs and time lines for completion.
- 58 8. The board shall produce an annual report focusing on the accomplishments  
59 of the trust relative to the goals set forth in the plan, the goals for the next year and  
60 the challenges facing the trust. The annual report shall be given to the chief elected  
61 officials of all the municipalities wholly within the county, the chief elected official  
62 of the county, the members of the governing board of the county and the public  
63 libraries within the county, and shall be posted on the county Internet web site.
- 64 9. Every year, the board shall commission an independent financial audit, the  
65 report of which shall be distributed in the same manner as the annual report pursuant  
66 to subsection 8 of this section.

67                   10. Every five years, the board shall commission an independent  
68 management audit. The management audit shall include a comprehensive analysis of  
69 development trends, factors and practices along with specific recommendations to  
70 improve the trust's ability to achieve its mission. The management audit shall be  
71 reviewed by the advisory committee which may offer constructive advice on  
72 enhancing practices in order to achieve the goals of the program. The management  
73 audit shall be distributed in the same manner as the annual report pursuant to  
74 subsection 8 of this section. The board is authorized to take any necessary and proper  
75 steps to address the issues and recommendations contained within the management  
76 audit.

77                   11. (1) The board shall establish an eleven-member advisory committee that  
78 shall meet four times each year and shall advise petitioners, staff and the board. The  
79 advisory committee members shall be appointed by the county executive. At least six  
80 of the advisory committee's members shall be nominated by the municipal league  
81 within the county and at least three shall be nominated by the members of the  
82 governing body of the county. No advisory committee member shall receive  
83 compensation for performance of duties as a committee member.

84                   (2) At least one of the advisory committee members shall be a university  
85 professor well-versed in regional development issues. At least two of the advisory  
86 committee members shall be municipal officials from communities that have  
87 undertaken redevelopment programs as part of larger planning efforts. At least one  
88 of the advisory committee members shall be an attorney with experience in  
89 redevelopment activities. At least two of the advisory committee members shall be  
90 residents of priority comeback communities who have been active in advocating  
91 effective redevelopment policies. At least one of the advisory committee members  
92 shall be a private professional familiar with the factors influencing business location  
93 decisions. At least one of the advisory committee members shall be an individual  
94 familiar with education and training practices and workforce needs, with an  
95 understanding of how labor availability impacts business location decisions. At least  
96 one of the advisory committee members shall be a planner from the private sector  
97 knowledgeable in the area of strategic planning and the principles of multiyear rolling  
98 plans.

99                   (3) The advisory committee shall promptly notify the county executive of the  
100 pending expiration of any member's term or any vacancy on the advisory committee.  
101 A member whose term has expired shall continue to serve until his or her successor  
102 is appointed and qualified.

103                   (4) The board shall establish the advisory committee by resolution at the  
104 board's first meeting. The board shall, within ten days of the passage of the resolution  
105 establishing the advisory committee, send by United States mail written notice of the  
106 passage of the resolution to the county's municipal league and the members of the  
107 governing body of the county. The municipal league and the members of the  
108 governing board of the county shall, within forty-five days of the passage of the  
109 resolution establishing the advisory committee or within fourteen days of being

110 notified of a vacancy by the county executive, submit its list of nominees to the  
111 county executive. The county executive shall appoint members within sixty days of  
112 the passage of the resolution or within thirty days of being notified by the committee  
113 of a vacancy on the advisory committee. If a list of nominees is not submitted by the  
114 time specified, the county executive shall appoint the members using the criteria set  
115 forth in this section before the sixtieth day from the passage of the resolution or  
116 before the thirtieth day from being notified of a vacancy on the existing advisory  
117 committee.

118 (5) At the advisory committee's first meeting, the members shall choose by  
119 lot the length of their terms. Two shall serve for one year, three for two years, three  
120 for three years and three for four years. All succeeding committee members shall  
121 serve for four years. Terms shall end on December thirty-first of the respective year.

122 (6) The committee members shall be subject to the regulation of conflicts of  
123 interest as defined in sections 105.450 to 105.498, RSMo, and to the requirements  
124 for open meetings and records pursuant to chapter 610, RSMo.]

125

2 [67.490. 1. The board shall in a timely manner adopt rules setting forth basic  
3 guidelines for acceptance and evaluation of petitions, including a common  
4 understandable format, as well as appropriate supporting material, maps, plans and  
5 data. The board shall begin to accept petitions one month after the adoption of the  
6 plan by the governing body of the county pursuant to section 67.487. The board shall  
7 review all petitions submitted by any petitioner. Review shall begin no later than  
8 thirty days after submission of the petition to the commission. In order to qualify as  
9 a proposal, a petition shall address the criteria set forth in subsection 4 of this section.  
10 For the purposes of this subsection, the term "pending" means any proposal  
11 submitted to the board which has not yet been approved by the board.

12 2. When practical, a petition shall be initially submitted to the advisory  
13 committee for constructive review and comment in a manner likely to result in a  
14 proposal that addresses a strategy outlined in the plan.

15 3. The board shall hold a public hearing concerning the petition, which may  
16 be on the same day as a scheduled meeting of the board.

17 4. (1) In reviewing any petition for funding, the board shall first determine  
18 if funds are sought for eligible expenses for a neighborhood reinvestment project. If  
19 the petition seeks such funds, the board shall certify such petition as a proposal  
20 subject to further review unless the board finds that the petition seeks funds for  
21 expenses that do not qualify as eligible expenses, or seeks funds for an endeavor  
22 other than a neighborhood reinvestment project. If the board finds that funds are  
23 sought for ineligible expenses or for an ineligible endeavor, the board need not take  
24 any further action and shall notify the petitioner in writing of all deficiencies that  
25 prevent the petition from being a proposal. If the board determines that there is a  
26 minor error or discrepancy in a petition, the board, with the petitioner's concurrence,  
27 may make such changes to the petition as are necessary to rectify the error that  
prevents the petition from being certified as a proposal subject to further review.

28           Within six months of certification of a petition as a proposal, the board shall issue a  
29           finding approving or disapproving such proposal. In disapproving any proposal, the  
30           board shall issue a document indicating the reasons that the proposal was  
31           disapproved.

32           (2) If the board determines that a proposal is a priority comeback project  
33           consistent with the strategies and priorities set forth in the community comeback plan  
34           and that the project is well-planned, realistic, creative, resourceful, benefits the local  
35           community and is cost-effective, then the board shall award funding. If the board  
36           determines that a proposal is a priority comeback project, but is inconsistent with the  
37           strategies and priorities in the community comeback plan, the board may award  
38           funding if it finds that the project is well-planned, realistic, creative, resourceful,  
39           benefits the local community, is cost-effective and addresses the reinvestment needs  
40           of neighborhoods by one or more of the following:

41                   (a) Reducing or removing impediments to attracting home buyers;

42                   (b) Providing the necessary physical infrastructure needed to promote  
43                   significant job growth;

44                   (c) Reducing or removing any such factor or factors that constitute an  
45                   economic or social liability or a menace to the public health, safety, morals, or  
46                   welfare in its present condition and use.

47           (3) If the board determines that a proposal, which is not a priority comeback  
48           project, is consistent with the strategies and priorities set forth in the community  
49           comeback plan and is well-planned, realistic, creative, resourceful, benefits the local  
50           community and is cost-effective, the board may award funding if the board adds such  
51           proposal to the plan. If the board determines that a proposal, which is not a priority  
52           comeback project, is inconsistent with the strategies and priorities in the community  
53           comeback plan, the board may award funding if it finds that the project is  
54           well-planned, realistic, creative, resourceful, benefits the local community, is  
55           cost-effective and addresses the reinvestment needs of neighborhoods by one or more  
56           of the following:

57                   (a) Reducing or removing impediments to attracting home buyers;

58                   (b) Providing the necessary physical infrastructure needed to promote  
59                   significant job growth;

60                   (c) Reducing or removing any such factor or factors that constitute an  
61                   economic or social liability or a menace to the public health, safety, morals or welfare  
62                   in its present condition and use.

63           (4) The board, the advisory committee and the staff of both may advise  
64           petitioners on issues related to petitions or proposals. The board may meet  
65           informally, subject to the requirements of chapter 610, RSMo, with representatives  
66           of potential petitioners with regard to future petitions and plans.

67           5. The board shall establish a select neighborhood action program. SNAP  
68           applicants shall provide a ten-percent cash or in-kind match to be eligible for a SNAP  
69           grant. Project categories eligible for SNAP grant funding shall be:

70 (1) Neighborhood beautification projects which enhance the appearance of  
 71 the overall neighborhood. Such projects include, but are not limited to, tree and  
 72 flower plantings, cleanups, entranceway landscaping, community gardens, public art  
 73 and neighborhood identification signs/banners;

74 (2) Neighborhood organization or capacity projects which create or increase  
 75 membership in a neighborhood organization promoting community betterment. Such  
 76 projects include, but are not limited to, neighborhood newsletters, neighborhood  
 77 marketing brochures, neighborhood meetings and special events, and technology  
 78 such as web site development;

79 (3) Neighborhood-school partnership projects which benefit a school and the  
 80 adjacent neighborhood. Involvement of both the school and the neighborhood in  
 81 planning, implementation and maintenance must be substantiated. Partnership  
 82 projects include, but are not limited to, youth and community programs that promote  
 83 safety, culture or the environment and that are beneficial to both the school and the  
 84 neighborhood;

85 (4) Capital purchase projects which include the acquisition of equipment or  
 86 property. Such projects include, but are not limited to, land acquisition, playground  
 87 equipment, bicycle racks and major supplies;

88 (5) Neighborhood improvement projects which benefit the local  
 89 infrastructure in a neighborhood, and include construction of sidewalks or installation  
 90 of streetlights.

91 6. Project categories ineligible for SNAP grant funding shall be:

92 (1) Projects accomplished in more than twelve months;

93 (2) Projects that duplicate existing private or public programs;

94 (3) Projects that require ongoing services, or requests to support continual  
 95 operating budgets; and

96 (4) Projects that conflict with the community comeback plan.

97 7. When making SNAP grant funding decisions, the board shall consider the  
 98 level of neighborhood participation including the percentage of residents who are  
 99 involved in planning and implementing the idea, the diversity of parties involved or  
 100 that will benefit, and the amount of neighborhood opposition; the community benefit  
 101 of the project, including the number of people who will benefit from the project and  
 102 the overall quality of the project.]

103 [67.493. Of the funds available to the trust, a minimum of five percent of the  
 2 funds, not to exceed an unallocated balance of five hundred thousand dollars rolled  
 3 over from the previous fiscal year, shall be set aside annually for the SNAP grant  
 4 program. Of the remaining funds seventy- five percent calculated on a rolling  
 5 three-year average shall be set aside for priority comeback projects. The balance of  
 6 the funds shall be used to indirectly or directly benefit priority comeback  
 7 communities or residents of those areas by utilizing such funds to:

8 (1) Promote job preparation and job creation in areas easily accessed by  
 9 residents of priority comeback communities;

- 10                   (2) Improve neighborhoods adjacent to priority comeback communities that  
11                   are unlikely to be improved without such funding; and  
12                   (3) Abate through low-interest home improvement loan programs or similar  
13                   mechanisms the functional or marketable obsolescence of any owner- occupied  
14                   residential structure over twenty-five years old which is located within a census block  
15                   group below one hundred ten percent of the median income level for the metropolitan  
16                   statistical area for this state; provided that, there is a significant threat of economic  
17                   decline within the area without intervention by the trust.]