

SECOND REGULAR SESSION

HOUSE BILL NO. 1596

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MAY (Sponsor), WALLACE, DEEKEN, NANCE, RUESTMAN,
COX AND SCHAD (Co-sponsors).

Read 1st time January 10, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

3037L.01I

AN ACT

To repeal section 172.273, RSMo, and to enact in lieu thereof one new section relating to research, development, and office park projects of the University of Missouri.

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

Section A. Section 172.273, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 172.273, to read as follows:

172.273. 1. The curators of the University of Missouri may establish research, development and office park projects, in order to promote cooperative relationships and to provide for shared resources between private individuals, companies and corporations, and the University of Missouri, for the advancement of the university in carrying out its educational mission and such projects are declared to be in furtherance of the purposes of the university.

2. The curators may, in connection with such projects, enter into written, mutually binding leases or agreements with individuals, businesses, corporations, and professional firms participating in the project for the purpose of expanding business and professional opportunities for students, faculty and graduates of the university and of the area it serves, and for making available to the university the resources and expertise of the business and professional entities participating in the project.

3. The curators may purchase necessary land and may purchase and construct or arrange for or permit the construction of any necessary facilities for such projects, may utilize the power of eminent domain, and may in any other manner acquire and accept in the name of the curators

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

15 of the University of Missouri suitable land and facilities for such projects, and may enter into
16 business arrangements, including long-term leases, for the development thereof. The curators
17 may also acquire options upon lands to be purchased. Lands and improvements utilized as a part
18 of such projects, so long as they remain a part of a project, shall not be subject to local zoning
19 or local regulatory ordinances; provided that if the project is located within a city or county, the
20 university is required to consult with the city or county, prior to board of curators' approval of
21 the master development plan or substantial amendments thereto. The city or county plan
22 commission [may] **shall** hold and complete a public hearing on such plan within forty-five days
23 of submission to the city or county and the city or county within fifteen days thereafter [may]
24 **shall** issue its advisory recommendations to the curators. The curators [may in their sole
25 discretion] **shall** require that project development conform to the planning, transportation,
26 environmental, health and safety requirements of such city or county. Interests in property
27 included in such projects may be conveyed as needed, without passage of a concurrent resolution
28 as provided by the provisions of section 172.020. The utilization of the real property, as
29 provided in subsection 1 of this section, is hereby deemed to be a public purpose and in
30 furtherance of the purposes of the university. Provided such land is owned by the university, no
31 leasehold or other interest therein, by whomsoever held, shall be separately assessed or taxed,
32 and such real property as a whole shall be deemed the property of the curators of the University
33 of Missouri and be exempt from all forms of property tax. **Land owned by the university and
34 used by the public for athletic, entertainment, or civic purposes shall not be eligible for
35 such projects unless the public notice, meeting, and record requirements of chapter 610,
36 RSMo, have been met and the board has published notice of the proposed project at least
37 three times in a newspaper of general circulation in the county or counties in which the
38 proposed project is located.**

39 4. For the purpose of developing and operating the project, the curators may enter into
40 cooperative agreements, including leases, in the same manner and to the same extent that
41 political subdivisions are authorized to enter into such agreements by the provisions of section
42 70.220, RSMo.

43 5. Whenever the curators' acquisition of land for such a research, development and office
44 park project will result in displacement, relocation assistance and monetary benefits identical to
45 those provided by subchapter II of the Uniform Relocation Assistance and Real Property
46 Acquisition Policies Act of 1970, 42 U.S.C. 4621 et seq., and its implementing regulations shall
47 be afforded to each displaced occupant or entity.

48 6. Notwithstanding the exemption of the curators of the University of Missouri from
49 municipal regulation and the provisions of subsection 3 of this section, any entity acting pursuant
50 to a lease or cooperative agreement with the curators may request that permits, licenses and

51 certificates be issued by a city or county where a project is to be located in order to aid in the
52 construction, operation and financing of such project. Such permits, licenses and certificates may
53 be issued by the city or county after review and approval of plans submitted by an architect or
54 engineer licensed to practice in the state of Missouri. Any entity may also request that
55 inspections be conducted by such city or county if such activities are normally performed by the
56 city or county in the enforcement of its building code.

57 7. Such doctrines of sovereign and official immunity and the public duty doctrines as
58 now exist for the issuance of permits, licenses, certificates and performance of inspections shall
59 apply to any city, county or official or employee thereof issuing permits, licenses, and certificates
60 or performing inspections pursuant thereto with respect to any claim brought for damages as a
61 result of the wrongful or negligent issuance of such permit, license or certificate or the
62 performance of inspections.

63 8. The exemption from assessment and taxation provided by subsection 3 of this section
64 for leaseholds in property owned by the university in a research park project shall not be
65 available for leases entered into from and after August 28, 1996. Notwithstanding the foregoing
66 and any provision of this section to the contrary, all leaseholds in property in such parks leased
67 by the university to tenants for research, development, office or any other nonrecreational use
68 prior to August 28, 1996, including leaseholds created after August 28, 1996, under options or
69 similar rights which were granted prior to January 1, 1996, shall be exempt from assessment and
70 taxation for the term of such lease, provided that leaseholds in property used for recreational
71 purposes shall be subject to assessment and taxation as determined by the assessor of the local
72 political subdivision, and all lands and improvements in such parks, by whomsoever owned.

✓