

SENATE AMENDMENT NO. 8

Offered by Scharfer of _____

Amend SCS/House Bill No. 142, Page 2, Section 55.030, Line 31,

2 by inserting after all of said line the following:

3 "67.1521. 1. A district may levy by resolution one or more
4 special assessments against real property within its boundaries,
5 upon receipt of and in accordance with a petition signed by:

6 (1) Owners of real property collectively owning more than
7 fifty percent by assessed value of real property within the
8 boundaries of the district; and

9 (2) More than fifty percent per capita of the owners of all
10 real property within the boundaries of the district.

11 2. The special assessment petition shall be in
12 substantially the following form:

13 The (insert name of
14 district) Community Improvement District ("District") shall be
15 authorized to levy special assessments against real property
16 benefited within the District for the purpose of providing
17 revenue for (insert general description of
18 specific service and/or projects) in the district, such special
19 assessments to be levied against each tract, lot or parcel of
20 real property listed below within the district which receives
21 special benefit as a result of such service and/or projects, the

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cost of which shall be allocated among this property by
..... (insert method of allocation, e.g., per
square foot of property, per square foot on each square foot of
improvement, or by abutting foot of property abutting streets,
roads, highways, parks or other improvements, or any other
reasonable method) in an amount not to exceed
dollars per (insert unit of measure). Such authorization to levy
the special assessment shall expire on (insert
date). The tracts of land located in the district which will
receive special benefit from this service and/or projects are:
..... (list of properties by common addresses and
legal descriptions).

3. The method for allocating such special assessments set
forth in the petition may be any reasonable method which results
in imposing assessments upon real property benefited in relation
to the benefit conferred upon each respective tract, lot or
parcel of real property and the cost to provide such benefit.

4. By resolution of the board, the district may levy a
special assessment rate lower than the rate ceiling set forth in
the petition authorizing the special assessment and may increase
such lowered special assessment rate to a level not exceeding the
special assessment rate ceiling set forth in the petition without
further approval of the real property owners; provided that a
district imposing a special assessment pursuant to this section
may not repeal or amend such special assessment or lower the rate
of such special assessment if such repeal, amendment or lower
rate will impair the district's ability to pay any liabilities
that it has incurred, money that it has borrowed or obligations
that it has issued.

1 5. Each special assessment which is due and owing shall
2 constitute a perpetual lien against each tract, lot or parcel of
3 property from which it is derived. Such lien may be foreclosed
4 in the same manner as any other special assessment lien as
5 provided in section 88.861 or, at the option of the county
6 collector, and upon certification by the district for collection,
7 each special assessment may be added to the annual real estate
8 tax bill for the property and collected by the county collector
9 in the same manner and procedure for collecting real estate
10 taxes. Each special assessment remaining unpaid on the first day
11 of January annually is delinquent and enforcement of collection
12 of the delinquent bill by the county collector shall be governed
13 by the laws concerning delinquent and back taxes. The lien may
14 be foreclosed in the same manner as a tax upon real property by
15 land tax sale under chapter 140 or, if applicable to that county,
16 chapter 141.

17 6. A separate fund or account shall be created by the
18 district for each special assessment levied and each fund or
19 account shall be identifiable by a suitable title. The proceeds
20 of such assessments shall be credited to such fund or account.
21 Such fund or account shall be used solely to pay the costs
22 incurred in undertaking the specified service or project.

23 7. Upon completion of the specified service or project or
24 both, the balance remaining in the fund or account established
25 for such specified service or project or both shall be returned
26 or credited against the amount of the original assessment of each
27 parcel of property pro rata based on the method of assessment of
28 such special assessment.

29 8. Any funds in a fund or account created pursuant to this

1 section which are not needed for current expenditures may be
2 invested by the board in accordance with applicable laws relating
3 to the investment of funds of the city in which the district is
4 located.

5 9. The authority of the district to levy special
6 assessments shall be independent of the limitations and
7 authorities of the municipality in which it is located;
8 specifically, the provisions of section 88.812 shall not apply to
9 any district."; and

10 Further amend the title and enacting clause accordingly.

