

HOUSE _____ AMENDMENT NO. _____

Offered By _____

AMEND House Committee Substitute for Senate Bill No. 668, Page 5, Section 94.902, Line 100, by inserting after all of said section and line, the following:

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

(1) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

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

(3) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

(4) "Disaster area", a blighted area located within a municipality for which public and individual assistance has been requested by the President under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. Section 5121, et seq., provided that the municipality adopts an ordinance approving the redevelopment project within five years after the President declares such disaster;

(5) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such

1 redevelopment area in the calendar year prior to the adoption of the ordinance designating such a
2 redevelopment area, while tax increment financing remains in effect, but excluding personal property
3 taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels,
4 licenses, fees or special assessments. For redevelopment projects or redevelopment plans approved after
5 December 23, 1997, if a retail establishment relocates within one year from one facility to another facility
6 within the same county and the governing body of the municipality finds that the relocation is a direct
7 beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes
8 generated by the retail establishment shall equal the total additional revenues from economic activity taxes
9 which are imposed by a municipality or other taxing district over the amount of economic activity taxes
10 generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

11 [(5)] (6) "Economic development area", any area or portion of an area located within the
12 territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3) of
13 this section, and in which the governing body of the municipality finds that redevelopment will not be
14 solely used for development of commercial businesses which unfairly compete in the local economy and
15 is in the public interest because it will:

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

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

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

20 [(6)] (7) "Gambling establishment", an excursion gambling boat as defined in section 313.800
21 and any related business facility including any real property improvements which are directly and solely
22 related to such business facility, whose sole purpose is to provide goods or services to an excursion
23 gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling
24 games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in
25 sections 313.800 to 313.850. This subdivision shall be applicable only to a redevelopment area
26 designated by ordinance adopted after December 23, 1997;

27 [(7)] (8) "Greenfield area", any vacant, unimproved, or agricultural property that is located
28 wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded by
29 contiguous properties with agricultural zoning classifications or uses unless said property was annexed
30 into the incorporated limits of a city, town, or village ten years prior to the adoption of the ordinance
31 approving the redevelopment plan for such greenfield area;

32 [(8)] (9) "Municipality", a city, village, or incorporated town or any county of this state. For
33 redevelopment areas or projects approved on or after December 23, 1997, "municipality" applies only to
34 cities, villages, incorporated towns or counties established for at least one year prior to such date;

35 [(9)] (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences
36 of indebtedness issued by a municipality to carry out a redevelopment project or to refund outstanding
37 obligations;

38 [(10)] (11) "Ordinance", an ordinance enacted by the governing body of a city, town, or village or
39 a county or an order of the governing body of a county whose governing body is not authorized to enact

ordinances;

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

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

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

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

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

- (a) Costs of studies, surveys, plans, and specifications;
- (b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;
- (c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;
- (d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;
- (e) Initial costs for an economic development area;
- (f) Costs of construction of public works or improvements;
- (g) Financing costs, including, but not limited to, all necessary and incidental expenses related to

the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

(h) All or a portion of a taxing district's capital costs and, in the case of a redevelopment area that contains a disaster area, all or a portion of a taxing district's operating costs and its debt service costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

(i) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

(j) Payments in lieu of taxes;

[(16)] (17) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

[(17)] (18) "Taxing districts", any political subdivision of this state having the power to levy taxes;

[(18)] (19) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

[(19)] (20) "Vacant land", any parcel or combination of parcels of real property not used for industrial, commercial, or residential buildings.

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is:

(a) A blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met; or

1 (b) A blighted area in which a majority of the property is located within a disaster area;
2 (2) The redevelopment plan conforms to the comprehensive plan for the development of the
3 municipality as a whole;
4 (3) The estimated dates, which shall not be more than twenty-three years from the adoption of the
5 ordinance approving a redevelopment project within a redevelopment area, of completion of any
6 redevelopment project and retirement of obligations incurred to finance redevelopment project costs have
7 been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten
8 years from the adoption of the ordinance approving the redevelopment plan under which such project is
9 authorized and provided that no property for a redevelopment project shall be acquired by eminent domain
10 later than five years from the adoption of the ordinance approving such redevelopment project;
11 (4) A plan has been developed for relocation assistance for businesses and residences;
12 (5) A cost-benefit analysis showing the economic impact of the plan on each taxing district which
13 is at least partially within the boundaries of the redevelopment area. The analysis shall show the impact
14 on the economy if the project is not built, and is built pursuant to the redevelopment plan under
15 consideration. The cost-benefit analysis shall include a fiscal impact study on every affected political
16 subdivision, and sufficient information from the developer for the commission established in section
17 99.820 to evaluate whether the project as proposed is financially feasible, provided that, in the case of a
18 redevelopment area that contains a disaster area, such information regarding financial feasibility may be
19 provided by and attested to by the governing body of the municipality;
20 (6) A finding that the plan does not include the initial development or redevelopment of any
21 gambling establishment, provided however, that this subdivision shall be applicable only to a
22 redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.
23 2. By the last day of February each year, each commission shall report to the director of economic
24 development the name, address, phone number and primary line of business of any business which
25 relocates to the district. The director of the department of economic development shall compile and report
26 the same to the governor, the speaker of the house and the president pro tempore of the senate on the last
27 day of April each year.
28 99.835. 1. Obligations secured by the special allocation fund set forth in sections 99.845 and
29 99.850 for the redevelopment area or redevelopment project may be issued by the municipality pursuant to
30 section 99.820 or by the tax increment financing commission to provide for redevelopment costs. Such
31 obligations, when so issued, shall be retired in the manner provided in the ordinance or resolution
32 authorizing the issuance of such obligations by the receipts of payments in lieu of taxes as specified in
33 section 99.855 and, subject to annual appropriation, other tax revenue as specified in section 99.845. A
34 municipality may, in the ordinance or resolution, pledge all or any part of the funds in and to be deposited
35 in the special allocation fund created pursuant to sections 99.845 and 99.850 to the payment of the
36 redevelopment costs and obligations. Any pledge of funds in the special allocation fund may provide for
37 distribution to the taxing districts of moneys not required for payment of redevelopment costs or
38 obligations and such excess funds shall be deemed to be surplus funds, except that any moneys allocated
39 to the special allocation fund as provided in subsection 4 or 15 of section 99.845, and which are not

1 required for payment of redevelopment costs and obligations, shall not be distributed to the taxing districts
2 but shall be returned to the department of economic development for credit to the general revenue fund.
3 In the event a municipality only pledges a portion of the funds in the special allocation fund for the
4 payment of redevelopment costs or obligations, any such funds remaining in the special allocation fund
5 after complying with the requirements of the pledge, including the retention of funds for the payment of
6 future redevelopment costs, if so required, shall also be deemed surplus funds. All surplus funds shall be
7 distributed annually to the taxing districts in the redevelopment area by being paid by the municipal
8 treasurer to the county collector who shall immediately thereafter make distribution as provided in
9 subdivision (12) of section 99.820.

10 2. Without limiting the provisions of subsection 1 of this section, the municipality may, in
11 addition to obligations secured by the special allocation fund, pledge any part or any combination of net
12 new revenues of any redevelopment project, or a mortgage on part or all of the redevelopment project to
13 secure its obligations or other redevelopment costs.

14 3. Obligations issued pursuant to sections 99.800 to 99.865 may be issued in one or more series
15 bearing interest at such rate or rates as the issuing body of the municipality shall determine by ordinance
16 or resolution. Such obligations shall bear such date or dates, mature at such time or times not exceeding
17 twenty-three years from their respective dates, when secured by the special allocation fund, be in such
18 denomination, carry such registration privileges, be executed in such manner, be payable in such medium
19 of payment at such place or places, contain such covenants, terms and conditions, and be subject to
20 redemption as such ordinance or resolution shall provide. Obligations issued pursuant to sections 99.800
21 to 99.865 may be sold at public or private sale at such price as shall be determined by the issuing body and
22 shall state that obligations issued pursuant to sections 99.800 to 99.865 are special obligations payable
23 solely from the special allocation fund or other funds specifically pledged. No referendum approval of the
24 electors shall be required as a condition to the issuance of obligations pursuant to sections 99.800 to
25 99.865.

26 4. The ordinance authorizing the issuance of obligations may provide that the obligations shall
27 contain a recital that they are issued pursuant to sections 99.800 to 99.865, which recital shall be
28 conclusive evidence of their validity and of the regularity of their issuance.

29 5. Neither the municipality, its duly authorized commission, the commissioners or the officers of
30 a municipality nor any person executing any obligation shall be personally liable for such obligation by
31 reason of the issuance thereof. The obligations issued pursuant to sections 99.800 to 99.865 shall not be a
32 general obligation of the municipality, county, state of Missouri, or any political subdivision thereof, nor
33 in any event shall such obligation be payable out of any funds or properties other than those specifically
34 pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any
35 constitutional, statutory or charter debt limitation or restriction.”; and

36
37 Further amend said bill, Page 13, Section 99.845, Line 290, by inserting after all of said line, the
38 following:
39

1 "15. Beginning August 28, 2012, for redevelopment plans and projects adopted or redevelopment
2 projects approved by ordinance and which have complied with subsections 15 to 23 of this section, in
3 addition to the payments in lieu of taxes and economic activity taxes described in subsections 1, 2, and 3
4 of this section, the following revenues may be available for appropriation by the general assembly as
5 provided in subsection 21 of this section to the Missouri supplemental disaster recovery fund, from the
6 general revenue fund, for distribution to the treasurer or other designated financial officer of the
7 municipality with approved plans or projects:

8 (1) Up to fifty percent of the state disaster recovery revenues, as defined in subsection 19 of this
9 section, estimated for the businesses within the project area and identified by the municipality in the
10 application required by subsection 21 of this section, over and above the amount of such taxes reported by
11 businesses within the project area as identified by the municipality in their application prior to the
12 approval of the redevelopment project by ordinance, while tax increment financing remains in effect; and

13 (2) Any additional state revenues in excess of the amount in subdivision (1) of this subsection, to
14 the extent requested by the department of economic development in accordance with subsection 23 of this
15 section.

16 16. The treasurer or other designated financial officer of the municipality with approved plans or
17 projects shall deposit such funds in a separate segregated account within the special allocation fund
18 established under section 99.805.

19 17. No transfer from the general revenue fund to the Missouri supplemental disaster recovery
20 fund shall be made unless an appropriation is made from the general revenue fund for that purpose. No
21 municipality shall commit any state revenues prior to an appropriation being made for that project. For all
22 redevelopment plans or projects adopted or approved after August 28, 2012, appropriations from the state
23 disaster recovery revenues and any additional state revenues shall not be distributed from the Missouri
24 supplemental disaster recovery fund into the special allocation fund unless the municipality's
25 redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent of
26 economic activity taxes generated by the project shall be used for eligible redevelopment project costs
27 while tax increment financing remains in effect. This account shall be separate from the account into
28 which payments in lieu of taxes are deposited, and separate from the account into which economic activity
29 taxes are deposited.

30 18. In order for the redevelopment plan or project to be eligible to receive the revenues described
31 in subsection 15 of this section, the municipality shall comply with the requirements of subsection 21 of
32 this section prior to the time the project or plan is adopted or approved by ordinance. The director of the
33 department of economic development and the commissioner of the office of administration may waive the
34 requirement that the municipality's application be submitted prior to the redevelopment plan's or project's
35 adoption or the redevelopment plan's or project's approval by ordinance.

36 19. For purposes of this section, "state disaster recovery revenues" means:

37 (1) The incremental increase in the general revenue portion of state sales tax revenues received
38 under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the
39 school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles,

trailers, boats and outboard motors and future sales taxes earmarked by law; and

(2) The incremental increase in state income tax withheld on behalf of employees by the employer under section 143.221 at businesses located within the project area as identified by the municipality.

20. Subsection 15 of this section shall apply only to redevelopment areas in which a majority of the property is located within disaster areas.

21. The initial appropriation of state disaster recovery revenues and any additional state revenues authorized under subsections 15 and 16 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the state disaster recovery revenues and any additional state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues and the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

(c) The estimate of the incremental increase in the general revenue portion of state sales tax revenue and the estimate for the incremental increase in the state income tax withheld by employers on behalf of employees filling jobs created within the redevelopment area after redevelopment;

(d) The estimate of additional state revenues being requested in excess of the amount of state disaster recovery revenues in one or more fiscal years in accordance with subsection 23 of this section;

(e) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact on the state of Missouri;

(f) The name, street and mailing address, and phone number of the mayor or chief executive officer of the municipality;

(g) The three-digit North American Industry Classification System number or numbers characterizing the redevelopment project;

(h) The estimated redevelopment project costs;

(i) The anticipated sources of funds to pay such redevelopment project costs;

(j) Evidence of the commitments to finance such redevelopment project costs;

(k) The anticipated type and term of the sources of funds to pay such redevelopment project costs;

(l) The anticipated type and terms of the obligations to be issued;

(m) The most recent equalized assessed valuation of the property within the redevelopment project area;

1 (n) An estimate as to the equalized assessed valuation after the redevelopment project area is
2 developed in accordance with a redevelopment plan;
3 (o) The general land uses to apply in the redevelopment area;
4 (p) The total number of individuals employed in the redevelopment area, broken down by full-
5 time, part-time, and temporary positions;
6 (q) The total number of full-time equivalent positions in the redevelopment area;
7 (r) The current gross wages, state income tax withholdings, and federal income tax withholdings
8 for individuals employed in the redevelopment area;
9 (s) A list of other community and economic benefits to result from the redevelopment project;
10 (t) A list of all other public investments made or to be made by the federal government, this state
11 or units of local government to support infrastructure or other needs generated by the redevelopment
12 project for which the funding under this section is being sought;
13 (u) A statement as to whether the redevelopment project may reduce employment at any other
14 site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring,
15 relocation, or other business activity;
16 (v) A statement as to whether or not the redevelopment project involves the relocation of work
17 from another address and if so, the number of jobs to be relocated and the address from which they are to
18 be relocated;
19 (w) A market study for the redevelopment area;
20 (x) A certification by the chief officer of the applicant as to the accuracy of the redevelopment
21 plan;
22 (2) The methodologies used in the application for determining the base year and determining the
23 estimate of the incremental increase in the general revenue portion of the state sales tax revenues and the
24 incremental increase in state income tax withheld by employers on behalf of employees filling jobs within
25 the redevelopment area shall be approved by the director of the department of economic development or
26 his or her designee and the commissioner of the office of administration or his or her designee. Upon
27 approval of the application, the director of the department of economic development or his or her designee
28 and the commissioner of the office of administration or his or her designee shall issue a certificate of
29 approval, which shall provide for a maximum amount of state disaster recovery revenues available to the
30 municipality for the duration of the redevelopment plans and projects as determined in accordance with
31 subdivision (4) of this subsection. The department of economic development may request the
32 appropriation following application approval;
33 (3) The appropriation may be made from one or more of the following sources, as approved by
34 the director of the department of economic development or his or her designee and the commissioner of
35 the office of administration or his or her designee;
36 (a) The estimate of the incremental increase in the general revenue portion of state sales tax
37 revenues in the redevelopment area;
38 (b) The estimate of the incremental increase in state income tax withheld by employers on behalf
39 of employees filling jobs within the redevelopment area as indicated in the municipality's application; and

1 (c) Any additional amount requested by the department of economic development in accordance
2 with subsection 23 of this section, approved by the director of the department of economic development or
3 his or her designee and the commissioner of the office of administration or his or her designee.

4 (4) Redevelopment plans and projects receiving state disaster recovery revenues shall have a
5 duration of up to fifteen years, unless prior approval for a longer term is given by the director of the
6 department of economic development or his or her designee and the commissioner of the office of
7 administration or his or her designee; except that, in no case shall the duration exceed twenty-three years.

8 22. There is hereby established within the state treasury a special fund to be known as the
9 "Missouri Supplemental Disaster Recovery Fund", to be administered by the department of economic
10 development. The department of economic development shall create a separate subaccount of the
11 Missouri supplemental disaster recovery fund for each redevelopment project approved under subsections
12 15 to 21 of this section, into which the state disaster recovery revenues attributable to each such
13 redevelopment project and any additional state revenues shall be deposited at least annually. The
14 department shall annually distribute to each municipality from the corresponding subaccount of the
15 Missouri supplemental disaster recovery fund the amount of the state disaster recovery revenues and any
16 additional state revenues as appropriated to each municipality as provided in the provisions of subsections
17 15 and 16 of this section if and only if such municipality has met the conditions of subsection 21 of this
18 section. The fund shall also consist of any gifts, contributions, grants or bequests received from federal,
19 private or other sources. Moneys in the Missouri supplemental disaster recovery fund shall be disbursed
20 per project pursuant to state appropriations. Any moneys remaining in the Missouri supplemental disaster
21 recovery fund at the end of any fiscal year shall not lapse to the general revenue fund, as provided for in
22 section 33.080, but shall remain in the Missouri supplemental disaster recovery fund.

23 23. Notwithstanding anything to the contrary in subsections 15 to 22 of this section, the
24 department of economic development may request an appropriation for any given fiscal year of additional
25 state revenues from the general fund to a particular subaccount of the Missouri supplemental disaster
26 recovery fund in excess of the amount of state disaster recovery revenues estimated to be generated within
27 the applicable redevelopment project in the calendar year immediately preceding such fiscal year, so long
28 as the total amount of appropriations to such subaccount of the Missouri supplemental disaster recovery
29 fund does not exceed the maximum amount provided for in the certificate of approval issued pursuant to
30 subsection 21 of this section.

31 24. Redevelopment project costs may include, at the prerogative of the state, the portion of
32 salaries and expenses of the department of economic development and the department of revenue
33 reasonably allocable to each redevelopment project approved for disbursements from the Missouri
34 supplemental disaster recovery fund for the ongoing administrative functions associated with such
35 redevelopment project. Such amounts shall be recovered from state disaster recovery revenues deposited
36 into the Missouri supplemental disaster recovery fund created under this section.

37 99.865. 1. Each year the governing body of the municipality, or its designee, shall prepare a
38 report concerning the status of each redevelopment plan and redevelopment project, and shall submit a
39 copy of such report to the director of the department of economic development. The report shall include

the following:

- (1) The amount and source of revenue in the special allocation fund;
- (2) The amount and purpose of expenditures from the special allocation fund;
- (3) The amount of any pledge of revenues, including principal and interest on any outstanding bonded indebtedness;
- (4) The original assessed value of the redevelopment project;
- (5) The assessed valuation added to the redevelopment project;
- (6) Payments made in lieu of taxes received and expended;
- (7) The economic activity taxes generated within the redevelopment area in the calendar year prior to the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area or the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the state sales tax revenue base for the redevelopment area and the state income tax withheld by employers on behalf of existing employees in the redevelopment area prior to the redevelopment plan;

- (8) The economic activity taxes generated within the redevelopment area after the approval of the redevelopment plan, to include the following:

(a) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area or the increase in state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area; or

(b) For redevelopment plans and redevelopment projects adopted or redevelopment projects approved by ordinance and which have complied with subsections 15 to 23 of section 99.845, a separate entry for the increase in state sales tax revenues for the redevelopment area and the increase in state income tax withheld by employers on behalf of employees filling jobs within the redevelopment area and a separate entry for any additional state revenues received in accordance with subsection 23 of section 99.845;

- (9) Reports on contracts made incident to the implementation and furtherance of a redevelopment plan or project;

- (10) A copy of any redevelopment plan, which shall include the required findings and cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

- (11) The cost of any property acquired, disposed of, rehabilitated, reconstructed, repaired or remodeled;

- (12) The number of parcels acquired by or through initiation of eminent domain proceedings; and

- (13) Any additional information the municipality deems necessary.

1 2. Data contained in the report mandated pursuant to the provisions of subsection 1 of this section
2 and any information regarding amounts disbursed to municipalities pursuant to the provisions of section
3 99.845 shall be deemed a public record, as defined in section 610.010. An annual statement showing the
4 payments made in lieu of taxes received and expended in that year, the status of the redevelopment plan
5 and projects therein, amount of outstanding bonded indebtedness and any additional information the
6 municipality deems necessary shall be published in a newspaper of general circulation in the municipality.
7

8 3. Five years after the establishment of a redevelopment plan and every five years thereafter the
9 governing body shall hold a public hearing regarding those redevelopment plans and projects created
10 pursuant to sections 99.800 to 99.865. The purpose of the hearing shall be to determine if the
11 redevelopment project is making satisfactory progress under the proposed time schedule contained within
12 the approved plans for completion of such projects. Notice of such public hearing shall be given in a
13 newspaper of general circulation in the area served by the commission once each week for four weeks
14 immediately prior to the hearing.

15 4. The director of the department of economic development shall submit a report to the state
16 auditor, the speaker of the house of representatives, and the president pro tem of the senate no later than
17 February first of each year. The report shall contain a summary of all information received by the director
18 pursuant to this section.

19 5. For the purpose of coordinating all tax increment financing projects using new state revenues
20 or state disaster recovery revenues, the director of the department of economic development may
21 promulgate rules and regulations to ensure compliance with this section. Such rules and regulations may
22 include methods for enumerating all of the municipalities which have established commissions pursuant to
23 section 99.820. No rule or portion of a rule promulgated under the authority of sections 99.800 to 99.865
24 shall become effective unless it has been promulgated pursuant to the provisions of chapter 536. All
25 rulemaking authority delegated prior to June 27, 1997, is of no force and effect and repealed; however,
26 nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior
27 to June 27, 1997, if such rule complied with the provisions of chapter 536. The provisions of this section
28 and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
29 chapter 536, including the ability to review, to delay the effective date, or to disapprove and annul a rule
30 or portion of a rule, are subsequently held unconstitutional, then the purported grant of rulemaking
31 authority and any rule so proposed and contained in the order of rulemaking shall be invalid and void.

32 6. The department of economic development shall provide information and technical assistance,
33 as requested by any municipality, on the requirements of sections 99.800 to 99.865. Such information and
34 technical assistance shall be provided in the form of a manual, written in an easy-to-follow manner, and
35 through consultations with departmental staff.

36 7. Any municipality which fails to comply with the reporting requirements provided in this
37 section shall be prohibited from implementing any new tax increment finance project for a period of no
38 less than five years from such municipality's failure to comply.

39 8. Based upon the information provided in the reports required under the provisions of this

1 section, the state auditor shall make available for public inspection on the auditor's website, a searchable
2 electronic database of such municipal tax increment finance reports. All information contained within
3 such database shall be maintained for a period of no less than ten years from initial posting.”; and
4

5 Further amend said bill, Page 20, Section 339.501, Line 36, by inserting after all of said section and line,
6 the following:
7

8 “Section B. Because immediate action is necessary to provide tax relief as the result of the recent
9 natural disasters in this state, sections 99.805, 99.810, 99.835, 99.845, and 99.865 of section A of this act
10 are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and
11 are hereby declared to be an emergency act within the meaning of the constitution, and sections 99.805,
12 99.810, 99.835, 99.845, and 99.865 of section A of this act shall be in full force and effect upon its
13 passage and approval.”; and
14

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