

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute for Senate Bill No. 668, Page 2, Section 64.930, Line 36,
by inserting after all of said section and line the following:

"67.548. 1. In any first or second class county not having a charter form of government,
which contains all or any part of a city with a population of greater than four hundred thousand
inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the
county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or
the park levy; [and]

(2) Grant county [sales tax] revenues to cities, towns and villages and to special road
districts organized pursuant to chapter 233;

(3) Enter into agreements with cities, towns, villages, and special road districts organized
under chapter 233 for the purpose of working cooperatively on the roads and bridges located
within the county, including the distribution of funds to such entities in addition to those funds
described in subsection 2 of this section.

2. [If the county commission reduces a special road and bridge tax levy pursuant to this
section which results in a reduction of revenue available to a city, town or village or to a special
road district organized pursuant to chapter 233, the commission shall in that year in which the
reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues
in an amount at least equal to that which each such entity would have otherwise been entitled
from the special road and bridge tax levy, had it not been for such reduction. In subsequent years,
each such entity shall receive from the county an amount of sales tax revenue equal to the amount
of special road and bridge tax revenue that each such entity would have received in that year, but
for the reduction in the special road and bridge tax. The county shall transfer such sales tax
revenue to each such entity in twelve equal monthly installments during each year in which such
entity is entitled to receive such sales tax revenue] In any county in which the voters have
approved a sales tax as provided by section 67.547, each city, town, village, and special road
district organized under chapter 233 shall continue to receive its share of the county's special road
and bridge levy, if any, that is annually considered by the county commission. In the event that

1 the annual special road and bridge levy is not set at a level of at least fourteen cents on each one
2 hundred dollars assessed valuation, the county commission shall allocate additional funds from
3 any available county source to the cities, towns, villages, and special road districts located within
4 the county in an amount that will, when combined with the revenues received from the special
5 road and bridge levy, distribute funds to such entities in an amount that is at least equal to the
6 funding level of fourteen cents on each one hundred dollars assessed valuation. Additionally, any
7 city, town, or village which contains at least fifty percent of a special road district organized under
8 chapter 233 shall be entitled to receive the road district's portion of any funds not paid through the
9 special road and bridge levy. Any funds paid under this subsection shall be paid as if the funds
10 were paid under the county's special road and bridge levy.

11 67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing
12 body of the municipality in which the proposed district is located shall hold a public hearing in
13 accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

14 2. A petition is proper if, based on the tax records of the county clerk, or the collector of
15 revenue if the district is located in a city not within a county, as of the time of filing the petition
16 with the municipal clerk, it meets the following requirements:

17 (1) It has been signed by property owners collectively owning more than fifty percent by
18 assessed value of the real property within the boundaries of the proposed district;

19 (2) It has been signed by more than fifty percent per capita of all owners of real property
20 within the boundaries of the proposed district; and

21 (3) It contains the following information:

22 (a) The legal description of the proposed district, including a map illustrating the district
23 boundaries;

24 (b) The name of the proposed district;

25 (c) A notice that the signatures of the signers may not be withdrawn later than seven days
26 after the petition is filed with the municipal clerk;

27 (d) A five-year plan stating a description of the purposes of the proposed district, the
28 services it will provide, the improvements it will make and an estimate of costs of these services
29 and improvements to be incurred;

30 (e) A statement as to whether the district will be a political subdivision or a not-for-profit
31 corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit
32 corporation;

33 (f) If the district is to be a political subdivision, a statement as to whether the district will
34 be governed by a board elected by the district or whether the board will be appointed by the
35 municipality, and, if the board is to be elected by the district, the names and terms of the initial
36 board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate; [and]

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner:

Owner's telephone number and mailing address:

If signer is different from owner:

Name of signer:

State basis of legal authority to sign:

Signer's telephone number and mailing address:

If the owner is an individual, state if owner is single or married:

If owner is not an individual, state what type of entity: . . .

Map and parcel number and assessed value of each tract of real property within the proposed district owned:

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above.

.....

Signature of person signing for owner Date

STATE OF MISSOURI)

) ss.

COUNTY OF)

1 Before me personally appeared, to me personally known to be the
2 individual described in and who executed the foregoing instrument.

3 WITNESS my hand and official seal this day of (month),
4 (year).

5
6
7
8 Notary Public

9 My Commission Expires: ; and

10 (5) Alternatively, the governing body of any home rule city with more than four hundred
11 thousand inhabitants and located in more than one county may file a petition to initiate the process
12 to establish a district in the portion of the city located in any county of the first classification with
13 more than two hundred thousand but fewer than two hundred sixty thousand inhabitants
14 containing the information required in subdivision (3) of this subsection; provided that the only
15 funding methods for the services and improvements will be a real property tax.

16 3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to
17 exceed ninety days after receipt of the petition, review and determine whether the petition
18 substantially complies with the requirements of subsection 2 of this section. In the event the
19 municipal clerk receives a petition which does not meet the requirements of subsection 2 of this
20 section, the municipal clerk shall, within a reasonable time, return the petition to the submitting
21 party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall
22 specify which requirements have not been met.

23 4. After the close of the public hearing required pursuant to subsection 1 of this section,
24 the governing body of the municipality may adopt an ordinance approving the petition and
25 establishing a district as set forth in the petition and may determine, if requested in the petition,
26 whether the district, or any legally described portion thereof, constitutes a blighted area. If the
27 petition was filed by the governing body of a municipality pursuant to subdivision (5) of
28 subsection 2 of this section, after the close of the public hearing required pursuant to subsection 1
29 of this section, the petition may be approved by the governing body and an election shall be called
30 pursuant to section 67.1422.

31 5. Amendments to a petition may be made which do not change the proposed boundaries
32 of the proposed district if an amended petition meeting the requirements of subsection 2 of this
33 section is filed with the municipal clerk at the following times and the following requirements
34 have been met:

35 (1) At any time prior to the close of the public hearing required pursuant to subsection 1
36 of this section; provided that, notice of the contents of the amended petition is given at the public

1 hearing;

2 (2) At any time after the public hearing and prior to the adoption of an ordinance
3 establishing the proposed district; provided that, notice of the amendments to the petition is given
4 by publishing the notice in a newspaper of general circulation within the municipality and by
5 sending the notice via registered certified United States mail with a return receipt attached to the
6 address of record of each owner of record of real property within the boundaries of the proposed
7 district per the tax records of the county clerk, or the collector of revenue if the district is located
8 in a city not within a county. Such notice shall be published and mailed not less than ten days
9 prior to the adoption of the ordinance establishing the district;

10 (3) At any time after the adoption of any ordinance establishing the district a public
11 hearing on the amended petition is held and notice of the public hearing is given in the manner
12 provided in section 67.1431 and the governing body of the municipality in which the district is
13 located adopts an ordinance approving the amended petition after the public hearing is held.

14 6. Upon the creation of a district, the municipal clerk shall report in writing the creation of
15 such district to the Missouri department of economic development.

16 67.1422. 1. Notwithstanding sections 67.1531, 67.1545, and 67.1551, if the petition was
17 filed pursuant to subdivision (5) of subsection 2 of section 67.1421, by a governing body of the
18 city, the governing body may adopt an ordinance approving the petition and submit a ballot to the
19 qualified voters of the district; the question shall be in substantially the following form:

20 Shall the community improvement district, to be known as the "..... Community
21 Improvement District" approved by the (insert governing body) be established for the
22 purpose of (here summarize the proposed improvements and services) and be authorized to
23 impose a real property tax upon (all real property) within the district at a rate of not more than ten
24 cents per hundred dollars assessed valuation for a period of ten years from the date on which such
25 tax is first imposed for the purpose of providing revenue for (insert general description of
26 purpose) in the district?

27 ☐ YES

☐ NO

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

30
31 The governing body of the city shall not submit the question to the qualified voters of the district
32 on more than one occasion.

33 2. A district levying a real property tax pursuant to this section may repeal or amend such
34 real property tax or lower the tax rate of such tax if such repeal, amendment or lower rate will not
35 impair the district's ability to repay any liabilities which it has incurred, money which it has

1 borrowed or obligations that it has issued to finance any improvements or services rendered
2 within the district.

3 3. An election conducted under this section may be conducted in accordance with the
4 provisions of chapter 115, or by mail-in ballot.

5 67.1561. No lawsuit to set aside a district established, or a special assessment or a tax
6 levied under sections 67.1401 to 67.1571 or to otherwise question the validity of the proceedings
7 related thereto shall be brought after the expiration of ninety days from the effective date of the
8 ordinance establishing such district in question or the election establishing a district pursuant to
9 section 67.1422 or the effective date of the resolution levying such special assessment or tax in
10 question or the effective date of a merger of two districts under section 67.1485."; and

11
12 Further amend said bill by amending the title, enacting clause, and intersectional references
13 accordingly.