

ORIGINAL

5671H07



5671H07.04F

HOUSE _____ AMENDMENT NO. _____

Offered By

Schieber 32

AMEND HCS SS Sate Bill No. 769, Page 1, Section A, Line 3,
by inserting after all of said section and line the following:

"135.215. 1. Improvements made to "real property" as such term is defined in section 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion thereto was designated, may upon approval of an authorizing resolution by the governing authority having jurisdiction of the area in which the improvements are made, be exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more affected political subdivisions, provided that, except as to the exemption allowed under subsection 3 of this section, at least fifty new jobs that provide an average of at least thirty-five hours of employment per week per job are created and maintained at the new or expanded facility. Such authorizing resolution shall specify the percent of the exemption to be granted, the duration of the exemption to be granted, and the political subdivisions to which such exemption is to apply and any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be provided the director within thirty calendar days following adoption of the resolution by the governing authority.

2. No exemption shall be granted until the governing authority holds a public hearing for the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be affected by the exemption from property taxes. The governing authority shall send, by certified mail, a notice of such hearing to each political subdivision in the area to be affected and shall publish notice of such hearing in a newspaper of general circulation in the area to be affected by the exemption at least twenty days prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the time, location, date and purpose of the hearing.

3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes otherwise imposed on subsequent improvements to real property located in an enterprise zone shall become and remain exempt from assessment and payment of ad valorem taxes of any political subdivision of this state or municipality thereof, if said political subdivision or municipality levies ad valorem taxes, for a period of not less than ten years following the date

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1 such improvements were assessed, provided the improved properties are used for assembling,
2 fabricating, processing, manufacturing, mining, warehousing or distributing properties.

3 4. No exemption shall be granted for a period more than twenty-five years following the
4 date on which the original enterprise zone was designated by the department except for any
5 enterprise zone within any home rule city with more than one hundred fifty-one thousand five
6 hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any
7 instance the exemption shall not be granted for a period longer than twenty-five years from the
8 date on which the exemption was granted.

9 5. The provisions of subsection 1 of this section shall not apply to improvements made to
10 real property which have been started prior to August 28, 1991.

11 6. The mandatory abatement referred to in this section shall not relieve the assessor or
12 other responsible official from ascertaining the amount of the equalized assessed value of all
13 taxable property annually as required by section 99.855 and shall not have the effect of reducing
14 the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction
15 is set forth in the plan approved by the governing body of the municipality pursuant to subdivision
16 (1) of section 99.820.

17 7. Effective August 28, 2004, any abatement or exemption provided for in this section on
18 an individual parcel of real property shall cease after a period of thirty days of business closure,
19 work stoppage, major reduction in force, or a significant change in the type of business conducted
20 at that location. For the purposes of this subsection, "work stoppage" shall not include strike or
21 lockout or time necessary to retool a plant, and "major reduction in force" is defined as a
22 seventy-five percent or greater reduction.

23 Any owner or new owner may reapply, but cannot receive the abatement or exemption for any
24 period of time beyond the original life of the enterprise zone."; and

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26 Further amend said bill, page _____, section _____, line _____, by inserting after all of said
27 section and line the following:

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29 "135.963. 1. Improvements made to real property as such term is defined in section
30 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or
31 expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance
32 by the governing authority having jurisdiction of the area in which the improvements are made, be
33 exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more
34 affected political subdivisions. Improvements made to real property, as such term is defined in
35 section 137.010, which are locally assessed and in a renewable energy generation zone designated
36 as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or

1 expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance
2 by the governing authority having jurisdiction of the area in which the improvements are made, be
3 exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more
4 affected political subdivisions. In addition to enhanced business enterprises, a speculative
5 industrial or warehouse building constructed by a public entity or a private entity if the land is
6 leased by a public entity may be subject to such exemption.

7 2. Such authorizing resolution shall specify the percent of the exemption to be granted,
8 the duration of the exemption to be granted, and the political subdivisions to which such
9 exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy
10 of the resolution shall be provided to the director within thirty calendar days following adoption of
11 the resolution by the governing authority.

12 3. No exemption shall be granted until the governing authority holds a public hearing for
13 the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be
14 affected by the exemption from property taxes. The governing authority shall send, by certified
15 mail, a notice of such hearing to each political subdivision in the area to be affected and shall
16 publish notice of such hearing in a newspaper of general circulation in the area to be affected by
17 the exemption at least twenty days prior to the hearing but not more than thirty days prior to the
18 hearing. Such notice shall state the time, location, date, and purpose of the hearing.

19 4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes
20 otherwise imposed on subsequent improvements to real property located in an enhanced enterprise
21 zone of enhanced business enterprises or speculative industrial or warehouse buildings as
22 indicated in subsection 1 of this section shall become and remain exempt from assessment and
23 payment of ad valorem taxes of any political subdivision of this state or municipality thereof, if
24 said political subdivision or municipality levies ad valorem taxes, for a period of not less than ten
25 years following the date such improvements were assessed, provided the improved properties are
26 used for enhanced business enterprises. The exemption for speculative buildings is subject to the
27 approval of the governing authority for a period not to exceed two years if the building is owned
28 by a private entity and five years if the building is owned or ground leased by a public entity. This
29 shall not preclude the building receiving an exemption for the remaining time period established
30 by the governing authority if it was occupied by an enhanced business enterprise. The two- and
31 five-year time periods indicated for speculative buildings shall not be an addition to the local
32 abatement time period for such facility.

33 5. No exemption shall be granted for a period more than twenty-five years following the
34 date on which the original enhanced enterprise zone was designated by the department.

35 6. The provisions of subsection 1 of this section shall not apply to improvements made to
36 real property begun prior to August 28, 2004.

1 7. The abatement referred to in this section shall not relieve the assessor or other
2 responsible official from ascertaining the amount of the equalized assessed value of all taxable
3 property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect
4 of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section
5 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of
6 section 99.1042 unless such reduction is set forth in the plan approved by the governing body of
7 the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or
8 section 99.1027.”; and
9

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

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