

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 937, Page 17,  
2 Section 67.1790, Line 129, by inserting after all of said section and line the following:

3  
4 "67.2050. 1. As used in this section, unless the context clearly indicates otherwise, the  
5 following terms mean:

6 (1) "Facility", a location composed of real estate, buildings, fixtures, machinery, and  
7 equipment;

8 (2) "Municipality", any county, city, incorporated town, or village of the state;

9 (3) "NAICS", the 2007 edition of the North American Industry Classification System  
10 developed under the direction and guidance of the federal Office of Management and Budget. Any  
11 NAICS sector, subsector, industry group, or industry identified in this section shall include its  
12 corresponding classification in previous and subsequent federal industry classification systems;

13 (4) "Technology business facility", a facility purchased, constructed, extended, or improved  
14 under this section, provided that such business facility is engaged in:

15 (a) Wired telecommunications carriers (NAICS 517110);

16 (b) Data processing, hosting, and related services (NAICS 518210); or

17 (c) Internet publishing and broadcasting and web search portals (NAICS 519130) at the  
18 business facility;

19 (5) "Technology business facility project" or "project", the purchase, construction,  
20 extension, or improvement of technology business facilities, whether of the facility as a whole or of  
21 any one or more of the facility's components of real estate, buildings, fixtures, machinery, and  
22 equipment.

23 2. The governing body of any municipality may:

24 (1) Carry out technology business facility projects for economic development under this  
25 section;

26 (2) Accept grants from the federal and state governments for technology business facility  
27 project purposes and may enter into such agreements as are not contrary to the laws of this state  
28 which may be required as a condition of grants by the federal government or its agencies; and

29 (3) Receive gifts and donations from private sources to be used for technology business  
30 facility project purposes.

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1       3. The governing body of the municipality may enter into loan agreements, and sell, lease,  
2 or mortgage to private persons, partnerships, or corporations any one or more of the components of  
3 a facility received, purchased, constructed, or extended by the municipality for development of a  
4 technology business facility project. The loan agreement, installment sale agreement, lease, or other  
5 such document shall contain such other terms as are agreed upon between the municipality and the  
6 obligor, provided that such terms shall be consistent with this section. If, in the judgment of the  
7 governing body of the municipality, the technology business facility project will result in economic  
8 benefits to the municipality, the governing body may lawfully enter into an agreement that includes  
9 nominal monetary consideration to the municipality in exchange for the use of one or more  
10 components of the facility.

11       4. Transactions involving the lease or rental of any components of a project under this  
12 section shall be specifically exempted from the provisions of the local sales tax law as defined under  
13 sections 32.085, 238.235, 144.010 to 144.525, and 144.600 to 144.761 and exempted from the  
14 computation of the tax levied, assessed, or payable under the local sales tax law as defined under  
15 sections 32.085, 238.235, 144.010 to 144.525, and 144.600 to 144.745.

16       5. Leasehold interests granted and held under this section shall not be subject to property  
17 taxes.

18       6. Any payments in lieu of taxes expected to be made by any lessee of the project shall be  
19 applied in accordance with this section. The lessee may reimburse the municipality for its actual  
20 costs of administering the plan. All amounts paid in excess of such actual costs shall, immediately  
21 upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each  
22 affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.

23       7. The county assessor shall include the current assessed value of all property within the  
24 affected taxing entities in the aggregate valuation of assessed property entered upon the assessor's  
25 book and verified under section 137.245, and such value shall be used for the purpose of the debt  
26 limitation on local government under article VI, section 26(b) of the Constitution of Missouri.

27       8. The governing body of any municipality may sell or otherwise dispose of the property,  
28 buildings, or plants acquired under this section to private persons or corporations for technology  
29 business facility project purposes upon approval by the governing body. The terms and method of  
30 the sale or other disposal shall be established by the governing body so as to reasonably protect the  
31 economic well-being of the municipality and to promote the development of technology business  
32 facility projects. A private person or corporation that initially transfers property to the municipality  
33 for the purposes of a technology business facility project and that does not charge a purchase price  
34 to the municipality shall retain the right, upon request to the municipality, to have the municipality  
35 retransfer the donated property to the person or corporation at no cost.

36       9. The provisions of this section shall not be construed to allow political subdivisions to  
37 provide telecommunications services or telecommunications facilities to the extent that they are  
38 prohibited from doing so under section 392.410."; and

39  
40 Further amend said bill by amending the title, enacting clause, and intersectional references  
41 accordingly.