

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 49, Page 6, Section
2 67.547, Line 115, by inserting immediately after all of said section and line the following:

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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.

31 3. The governing body of the municipality may enter into loan agreements, and may sell,
32 lease, or mortgage to private persons, partnerships, or corporations any one or more of the
33 components of a facility received, purchased, constructed, or extended by the municipality for
34 development of a technology business facility project. The loan agreement, installment sale
35 agreement, lease, or other such document shall contain such other terms as are agreed upon between
36 the municipality and the obligor, provided that such terms shall be consistent with this section. If,

Action Taken _____ Date _____

1 in the judgment of the governing body of the municipality, the technology business facility project
2 will result in economic benefits to the municipality, the governing body may lawfully enter into an
3 agreement that includes nominal monetary consideration to the municipality in exchange for the use
4 of one or more components of the facility.

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

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

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

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

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

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

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