

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1090
99TH GENERAL ASSEMBLY

2223H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 67.1431 and 99.825, RSMo, and to enact in lieu thereof two new sections relating to tax increment financing districts.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 67.1431 and 99.825, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 67.1431 and 99.825, to read as follows:

67.1431. 1. Within a reasonable time, not to exceed forty-five days, after the receipt of
2 the verified petition from the municipal clerk, the governing body shall hold or cause to be held
3 a public hearing on the establishment of the proposed district and shall give notice of the public
4 hearing in the manner provided in subsection 3 of this section. All reasonable protests,
5 objections and endorsements shall be heard at the public hearing.

6 2. The public hearing may be continued to another date without further notice other than
7 a motion to be entered on the minutes fixing the date, time and place of the continuance of the
8 public hearing.

9 3. Notice of the public hearing shall be given by publication and mailing. Notice by
10 publication shall be given by publication in a newspaper of general circulation within the
11 municipality once a week for two consecutive weeks prior to the week of the public hearing.
12 Notice by mail shall be given not less than fifteen days prior to the public hearing by sending the
13 notice via registered or certified United States mail with a return receipt attached to the address
14 of record of each owner of record of real property within the boundaries of the proposed district.
15 The published and mailed notices shall include the following:

16 (1) The date, time and place of the public hearing;

17 (2) A statement that a petition for the establishment of a district has been filed with the
18 municipal clerk;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 (3) The boundaries of the proposed district by street location, or other readily identifiable
20 means if no street location exists; and a map illustrating the proposed boundaries;

21 (4) A statement that a copy of the petition is available for review at the office of the
22 municipal clerk during regular business hours; and

23 (5) A statement that all interested persons shall be given an opportunity to be heard at
24 the public hearing.

25 **4. In addition to a public hearing, the governing body of a city, town, or village**
26 **shall, for a thirty-day period, establish a forum for the public to comment on the proposed**
27 **district. The forum may be digital, physical, or both. Comments shall be recorded and**
28 **delivered to the governing body before the governing body votes on the proposed district.**

29 **5. A city, town, or village shall post the following information on its official internet**
30 **website accessible by the public:**

31 **(1) The boundaries of the proposed district by street location, or other readily**
32 **identifiable means if no street location exists, and a map illustrating the proposed**
33 **boundaries;**

34 **(2) The date, time, and place of the public hearing;**

35 **(3) A statement that a copy of the petition is available for review at the office of the**
36 **municipal clerk during regular business hours; and**

37 **(4) A statement that all interested persons shall be given an opportunity to be heard**
38 **at the public hearing.**

99.825. 1. **(1)** Prior to the adoption of an ordinance proposing the designation of a
2 redevelopment area, or approving a redevelopment plan or redevelopment project, the
3 commission shall fix a time and place for a public hearing as required in subsection 4 of section
4 99.820 and notify each taxing district located wholly or partially within the boundaries of the
5 proposed redevelopment area, plan or project.

6 **(2)** At the public hearing any interested person or affected taxing district may file with
7 the commission written objections to, or comments on, and may be heard orally in respect to, any
8 issues embodied in the notice. The commission shall hear and consider all protests, objections,
9 comments and other evidence presented at the hearing. The hearing may be continued to another
10 date without further notice other than a motion to be entered upon the minutes fixing the time
11 and place of the subsequent hearing; provided, if the commission is created under subsection 3
12 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date
13 on which it is originally opened unless such longer period is requested by the chief elected
14 official of the municipality creating the commission and approved by a majority of the
15 commission.

16 **(3)** Prior to the conclusion of the hearing, changes may be made in the redevelopment
17 plan, redevelopment project, or redevelopment area, provided that each affected taxing district
18 is given written notice of such changes at least seven days prior to the conclusion of the hearing.
19 After the public hearing but prior to the adoption of an ordinance approving a redevelopment
20 plan or redevelopment project, or designating a redevelopment area, changes may be made to the
21 redevelopment plan, redevelopment projects or redevelopment areas without a further hearing,
22 if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and
23 do not substantially affect the general land uses established in the redevelopment plan or
24 substantially change the nature of the redevelopment projects, provided that notice of such
25 changes shall be given by mail to each affected taxing district and by publication in a newspaper
26 of general circulation in the area of the proposed redevelopment not less than ten days prior to
27 the adoption of the changes by ordinance.

28 **(4)** After the adoption of an ordinance approving a redevelopment plan or redevelopment
29 project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior
30 boundaries, affecting the general land uses established pursuant to the redevelopment plan or
31 changing the nature of the redevelopment project without complying with the procedures
32 provided in this section pertaining to the initial approval of a redevelopment plan or
33 redevelopment project and designation of a redevelopment area.

34 **(5)** Hearings with regard to a redevelopment project, redevelopment area, or
35 redevelopment plan may be held simultaneously.

36 **(6)** Notwithstanding any other provision of law to the contrary, in addition to a
37 public hearing, the governing body of a city, town, or village shall, for a thirty-day period,
38 establish a forum for the public to comment on the proposed district. The forum may be
39 digital, physical, or both. Comments shall be recorded and delivered to the governing body
40 before the governing body votes on the proposed district.

41 **(7)** A city, town, or village shall post the following information on its official
42 internet website accessible by the public:

43 **(a)** The boundaries of the proposed district by street location, or other readily
44 identifiable means if no street location exists, and a map illustrating the proposed
45 boundaries;

46 **(b)** The date, time, and place of the public hearing;

47 **(c)** A statement that a copy of the petition is available for review at the office of the
48 municipal clerk during regular business hours; and

49 **(d)** A statement that all interested persons shall be given an opportunity to be heard
50 at the public hearing.

51 2. If, after concluding the hearing required under this section, the commission makes a
52 recommendation under section 99.820 in opposition to a proposed redevelopment plan,
53 redevelopment project, or designation of a redevelopment area, or any amendments thereto, a
54 municipality desiring to approve such project, plan, designation, or amendments shall do so only
55 upon a two-thirds majority vote of the governing body of such municipality. For plans, projects,
56 designations, or amendments approved by a municipality over the recommendation in opposition
57 by the commission formed under subsection 3 of section 99.820, the economic activity taxes and
58 payments in lieu of taxes generated by such plan, project, designation, or amendment shall be
59 restricted to paying only those redevelopment project costs contained in subparagraphs b. and
60 c. of paragraph (c) of subdivision (15) of section 99.805 per redevelopment project.

61 3. Tax incremental financing projects within an economic development area shall apply
62 to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers,
63 traffic control systems and devices, water distribution and supply systems, curbing, sidewalks
64 and any other similar public improvements, but in no case shall it include buildings.

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