

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

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

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 870, Page 1,  
2 Section A, Line 3, by inserting after all of said line the following:

3 "99.805. As used in sections 99.800 to 99.865, unless the context clearly requires otherwise,  
4 the following terms shall mean:

5 (1) "Blighted area", an area which, by reason of the predominance of ~~[defective or~~  
6 ~~inadequate street layout,]~~ insanitary or unsafe conditions, ~~[deterioration of site improvements,~~  
7 ~~improper subdivision or obsolete platting, or]~~ the existence of conditions which endanger life or  
8 property by fire and other causes, or any combination of such factors, retards the provision of  
9 housing accommodations or constitutes an economic or social liability or a menace to the public  
10 health, safety, ~~[morals,]~~ or welfare in its present condition and use;

11 (2) "Collecting officer", the officer of the municipality responsible for receiving and  
12 processing payments in lieu of taxes or economic activity taxes from taxpayers or the department of  
13 revenue;

14 (3) ~~["Conservation area", any improved area within the boundaries of a redevelopment area~~  
15 ~~located within the territorial limits of a municipality in which fifty percent or more of the structures~~  
16 ~~in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is~~  
17 ~~detrimental to the public health, safety, morals, or welfare and may become a blighted area because~~  
18 ~~of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of~~  
19 ~~individual structures; presence of structures below minimum code standards; abandonment;~~  
20 ~~excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light~~  
21 ~~or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout;~~  
22 ~~depreciation of physical maintenance; and lack of community planning. A conservation area shall~~  
23 ~~meet at least three of the factors provided in this subdivision for projects approved on or after~~  
24 ~~December 23, 1997;~~

25 ~~——(4)]~~ "Economic activity taxes", the total additional revenue from taxes which are imposed by  
26 a municipality and other taxing districts, and which are generated by economic activities within a  
27 redevelopment area over the amount of such taxes generated by economic activities within such  
28 redevelopment area in the calendar year prior to the adoption of the ordinance designating such a  
29 redevelopment area, while tax increment financing remains in effect, but excluding personal  
30 property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of  
31 hotels and motels, licenses, fees or special assessments. For redevelopment projects or  
32 redevelopment plans approved after December 23, 1997, if a retail establishment relocates within  
33 one year from one facility to another facility within the same county and the governing body of the  
34 municipality finds that the relocation is a direct beneficiary of tax increment financing, then for  
35 purposes of this definition, the economic activity taxes generated by the retail establishment shall  
36 equal the total additional revenues from economic activity taxes which are imposed by a

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1 municipality or other taxing district over the amount of economic activity taxes generated by the  
2 retail establishment in the calendar year prior to its relocation to the redevelopment area;

3 ~~[(5) "Economic development area", any area or portion of an area located within the~~  
4 ~~territorial limits of a municipality, which does not meet the requirements of subdivisions (1) and (3)~~  
5 ~~of this section, and in which the governing body of the municipality finds that redevelopment will~~  
6 ~~not be solely used for development of commercial businesses which unfairly compete in the local~~  
7 ~~economy and is in the public interest because it will:~~

8 ~~—— (a) Discourage commerce, industry or manufacturing from moving their operations to~~  
9 ~~another state; or~~

10 ~~—— (b) Result in increased employment in the municipality; or~~

11 ~~—— (c) Result in preservation or enhancement of the tax base of the municipality;~~

12 ~~—— (6) [ (4) "Gambling establishment", an excursion gambling boat as defined in section~~  
13 ~~313.800 and any related business facility including any real property improvements which are~~  
14 ~~directly and solely related to such business facility, whose sole purpose is to provide goods or~~  
15 ~~services to an excursion gambling boat and whose majority ownership interest is held by a person~~  
16 ~~licensed to conduct gambling games on an excursion gambling boat or licensed to operate an~~  
17 ~~excursion gambling boat as provided in sections 313.800 to 313.850. This subdivision shall be~~  
18 ~~applicable only to a redevelopment area designated by ordinance adopted after December 23, 1997;~~

19 ~~[(7) (5) "Greenfield area", any vacant, unimproved, or agricultural property that is located~~  
20 ~~wholly outside the incorporated limits of a city, town, or village, or that is substantially surrounded~~  
21 ~~by contiguous properties with agricultural zoning classifications or uses unless said property was~~  
22 ~~annexed into the incorporated limits of a city, town, or village ten years prior to the adoption of the~~  
23 ~~ordinance approving the redevelopment plan for such greenfield area;~~

24 ~~[(8) (6) "Municipality", a city, village, or incorporated town or any county of this state.~~  
25 ~~For redevelopment areas or projects approved on or after December 23, 1997, municipality applies~~  
26 ~~only to cities, villages, incorporated towns or counties established for at least one year prior to such~~  
27 ~~date;~~

28 ~~[(9) (7) "Obligations", bonds, loans, debentures, notes, special certificates, or other~~  
29 ~~evidences of indebtedness issued by a municipality to carry out a redevelopment project or to refund~~  
30 ~~outstanding obligations;~~

31 ~~[(10) (8) "Ordinance", an ordinance enacted by the governing body of a city, town, or~~  
32 ~~village or a county or an order of the governing body of a county whose governing body is not~~  
33 ~~authorized to enact ordinances;~~

34 ~~[(11) (9) "Payment in lieu of taxes", those estimated revenues from real property in the~~  
35 ~~area selected for a redevelopment project, which revenues according to the redevelopment project or~~  
36 ~~plan are to be used for a private use, which taxing districts would have received had a municipality~~  
37 ~~not adopted tax increment allocation financing, and which would result from levies made after the~~  
38 ~~time of the adoption of tax increment allocation financing during the time the current equalized~~  
39 ~~value of real property in the area selected for the redevelopment project exceeds the total initial~~  
40 ~~equalized value of real property in such area until the designation is terminated pursuant to~~  
41 ~~subsection 2 of section 99.850;~~

42 ~~[(12) (10) "Redevelopment area", an area designated by a municipality, in respect to which~~  
43 ~~the municipality has made a finding that there exist conditions which cause the area to be classified~~  
44 ~~as a blighted area, [a conservation area, an economic development area, an enterprise zone pursuant~~  
45 ~~to sections 135.200 to 135.256, or a combination thereof,] which area includes only those parcels of~~  
46 ~~real property directly and substantially benefitted by the proposed redevelopment project;~~

47 ~~[(13) (11) "Redevelopment plan", the comprehensive program of a municipality for~~  
48 ~~redemption intended by the payment of redevelopment costs to reduce or eliminate those~~

conditions, the existence of which qualified the redevelopment area as a blighted area, ~~[conservation area, economic development area, or combination thereof,]~~ and to thereby enhance the tax bases of the taxing districts which extend into the redevelopment area. Each redevelopment plan shall conform to the requirements of section 99.810;

~~[(14)]~~ (12) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

~~[(15)]~~ (13) "Redevelopment project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred, and any such costs incidental to a redevelopment plan or redevelopment project, as applicable. Such costs include, but are not limited to, the following:

(a) Costs of studies, surveys, plans, and specifications;

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning or special services. Except the reasonable costs incurred by the commission established in section 99.820 for the administration of sections 99.800 to 99.865, such costs shall be allowed only as an initial expense which, to be recoverable, shall be included in the costs of a redevelopment plan or project;

(c) Property assembly costs, including, but not limited to:

a. Acquisition of land and other property, real or personal, or rights or interests therein;

b. Demolition of buildings; and

c. The clearing and grading of land;

(d) Costs of rehabilitation, reconstruction, or repair or remodeling of existing buildings and fixtures;

~~(e) [Initial costs for an economic development area;~~

~~—(f)]~~ Costs of construction of public works or improvements;

~~[(g)]~~ (f) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

~~[(h)]~~ (g) All or a portion of a taxing district's capital costs resulting from the redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment plan and project, to the extent the municipality by written agreement accepts and approves such costs;

~~[(i)]~~ (h) Relocation costs to the extent that a municipality determines that relocation costs shall be paid or are required to be paid by federal or state law;

~~[(j)]~~ (i) Payments in lieu of taxes;

~~[(16)]~~ (14) "Special allocation fund", the fund of a municipality or its commission which contains at least two separate segregated accounts for each redevelopment plan, maintained by the treasurer of the municipality or the treasurer of the commission into which payments in lieu of taxes are deposited in one account, and economic activity taxes and other revenues are deposited in the other account;

~~[(17)]~~ (15) "Taxing districts", any political subdivision of this state having the power to levy taxes;

~~[(18)]~~ (16) "Taxing districts' capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from the redevelopment project; and

~~[(19)]~~ (17) "Vacant land", any parcel or combination of parcels of real property not used for

1 industrial, commercial, or residential buildings.

2 99.810. 1. Each redevelopment plan shall set forth in writing a general description of the  
3 program to be undertaken to accomplish the objectives and shall include, but need not be limited to,  
4 the estimated redevelopment project costs, the anticipated sources of funds to pay the costs,  
5 evidence of the commitments to finance the project costs, the anticipated type and term of the  
6 sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most  
7 recent equalized assessed valuation of the property within the redevelopment area which is to be  
8 subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an  
9 estimate as to the equalized assessed valuation after redevelopment, and the general land uses to  
10 apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality  
11 without findings that:

12 (1) The redevelopment area on the whole is a blighted area~~[-a conservation area, or an~~  
13 ~~economic development area,]~~ and has not been subject to growth and development through  
14 investment by private enterprise and would not reasonably be anticipated to be developed without  
15 the adoption of tax increment financing. Such a finding shall include, but not be limited to, a study  
16 conducted by a third party which includes a detailed description of the factors that qualify the  
17 redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer  
18 or developers and submitted with the redevelopment plan, attesting that the provisions of this  
19 subdivision have been met;

20 (2) The redevelopment plan conforms to the comprehensive plan for the development of the  
21 municipality as a whole;

22 (3) The estimated dates, which shall not be more than twenty-three years from the adoption  
23 of the ordinance approving a redevelopment project within a redevelopment area, of completion of  
24 any redevelopment project and retirement of obligations incurred to finance redevelopment project  
25 costs have been stated, provided that no ordinance approving a redevelopment project shall be  
26 adopted later than ten years from the adoption of the ordinance approving the redevelopment plan  
27 under which such project is authorized and provided that no property for a redevelopment project  
28 shall be acquired by eminent domain later than five years from the adoption of the ordinance  
29 approving such redevelopment project;

30 (4) A plan has been developed for relocation assistance for businesses and residences;

31 (5) A cost-benefit analysis showing the economic impact of the plan on each taxing district  
32 which is at least partially within the boundaries of the redevelopment area. The analysis shall show  
33 the impact on the economy if the project is not built, and is built pursuant to the redevelopment plan  
34 under consideration. The cost-benefit analysis shall include a fiscal impact study on every affected  
35 political subdivision, and sufficient information from the developer for the commission established  
36 in section 99.820 to evaluate whether the project as proposed is financially feasible;

37 (6) A finding that the plan does not include the initial development or redevelopment of any  
38 gambling establishment, provided however, that this subdivision shall be applicable only to a  
39 redevelopment plan adopted for a redevelopment area designated by ordinance after December 23,  
40 1997.

41 2. By the last day of February each year, each commission shall report to the director of  
42 economic development the name, address, phone number and primary line of business of any  
43 business which relocates to the district. The director of the department of economic development  
44 shall compile and report the same to the governor, the speaker of the house and the president pro  
45 tempore of the senate on the last day of April each year.

46 99.825. 1. (1) Prior to the adoption of an ordinance proposing the designation of a  
47 redevelopment area, or approving a redevelopment plan or redevelopment project, the commission  
48 shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and

1 notify each taxing district located wholly or partially within the boundaries of the proposed  
2 redevelopment area, plan or project.

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

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

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

30 (5) Within ten days of the adoption of an ordinance approving a redevelopment plan or  
31 redevelopment project, or designating a redevelopment area, the commission created under section  
32 99.820 shall notify each board or body that oversees a taxing district that is partially or wholly  
33 located within the redevelopment area of the approval of the ordinance.

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

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

41 (8) A city, town, or village shall post the following information on its official internet  
42 website accessible by the public and, during the thirty-day comment period, on conspicuous signs  
43 located throughout the redevelopment area:

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

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

3  
 4        If a city, town, or village does not have an official internet website, it shall make the above  
 5        information reasonably available in its most prominent building of governance.

6        2. If, after concluding the hearing required under this section, the commission makes a  
 7        recommendation under section 99.820 in opposition to a proposed redevelopment plan,  
 8        redevelopment project, or designation of a redevelopment area, or any amendments thereto, a  
 9        municipality desiring to approve such project, plan, designation, or amendments shall do so only  
 10       upon a two-thirds majority vote of the governing body of such municipality. For plans, projects,  
 11       designations, or amendments approved by a municipality over the recommendation in opposition by  
 12       the commission formed under ~~[subsection 3 of]~~ section 99.820, the economic activity taxes and  
 13       payments in lieu of taxes generated by such plan, project, designation, or amendment shall be  
 14       restricted to paying only those redevelopment project costs contained in subparagraphs b. and c. of  
 15       paragraph (c) of subdivision (15) of section 99.805 per redevelopment project.

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

20       99.843. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, no new  
 21       tax increment financing project shall be authorized in any greenfield area, as such term is defined in  
 22       section 99.805~~], that is located within a city not within a county or any county subject to the~~  
 23       ~~authority of the East-West Gateway Council of Governments. Municipalities not subject to the~~  
 24       ~~authority of the East-West Gateway Council of Governments may authorize tax increment finance~~  
 25       ~~projects in greenfield areas].~~

26       99.845. 1. A municipality, either at the time a redevelopment project is approved or, in the  
 27       event a municipality has undertaken acts establishing a redevelopment plan and redevelopment  
 28       project and has designated a redevelopment area after the passage and approval of sections 99.800  
 29       to 99.865 but prior to August 13, 1982, which acts are in conformance with the procedures of  
 30       sections 99.800 to 99.865, may adopt tax increment allocation financing by passing an ordinance  
 31       providing that after the total equalized assessed valuation of the taxable real property in a  
 32       redevelopment project exceeds the certified total initial equalized assessed valuation of the taxable  
 33       real property in the redevelopment project, the ad valorem taxes, and payments in lieu of taxes, if  
 34       any, arising from the levies upon taxable real property in such redevelopment project by taxing  
 35       districts and tax rates determined in the manner provided in subsection 2 of section 99.855 each year  
 36       after the effective date of the ordinance until redevelopment costs have been paid shall be divided as  
 37       follows:

38       (1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or  
 39       parcel of real property which is attributable to the initial equalized assessed value of each such  
 40       taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment project  
 41       shall be allocated to and, when collected, shall be paid by the county collector to the respective  
 42       affected taxing districts in the manner required by law in the absence of the adoption of tax  
 43       increment allocation financing;

44       (2) (a) Payments in lieu of taxes attributable to the increase in the current equalized  
 45       assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for  
 46       the redevelopment project and any applicable penalty and interest over and above the initial  
 47       equalized assessed value of each such unit of property in the area selected for the redevelopment  
 48       project shall be allocated to and, when collected, shall be paid to the municipal treasurer who shall

1 deposit such payment in lieu of taxes into a special fund called the “Special Allocation Fund” of the  
 2 municipality for the purpose of paying redevelopment costs and obligations incurred in the payment  
 3 thereof. Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in  
 4 such taxing district’s levy rate for ad valorem tax on real property, any additional revenues  
 5 generated within an existing redevelopment project area that are directly attributable to the newly  
 6 voter-approved incremental increase in such taxing district’s levy rate shall not be considered  
 7 payments in lieu of taxes subject to deposit into a special allocation fund without the consent of  
 8 such taxing district. Revenues will be considered directly attributable to the newly voter-approved  
 9 incremental increase to the extent that they are generated from the difference between the taxing  
 10 district’s actual levy rate currently imposed and the maximum voter-approved levy rate at the time  
 11 that the redevelopment project was adopted. Payments in lieu of taxes which are due and owing  
 12 shall constitute a lien against the real estate of the redevelopment project from which they are  
 13 derived and shall be collected in the same manner as the real property tax, including the assessment  
 14 of penalties and interest where applicable. The municipality may, in the ordinance, pledge the funds  
 15 in the special allocation fund for the payment of such costs and obligations and provide for the  
 16 collection of payments in lieu of taxes, the lien of which may be foreclosed in the same manner as a  
 17 special assessment lien as provided in section 88.861. No part of the current equalized assessed  
 18 valuation of each lot, block, tract, or parcel of property in the area selected for the redevelopment  
 19 project attributable to any increase above the total initial equalized assessed value of such properties  
 20 shall be used in calculating the general state school aid formula provided for in section 163.031 until  
 21 such time as all redevelopment costs have been paid as provided for in this section and section  
 22 99.850.

23 (b) Notwithstanding any provisions of this section to the contrary, for purposes of  
 24 determining the limitation on indebtedness of local government pursuant to Article VI, Section  
 25 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area  
 26 selected for redevelopment attributable to the increase above the total initial equalized assessed  
 27 valuation shall be included in the value of taxable tangible property as shown on the last completed  
 28 assessment for state or county purposes.

29 (c) The county assessor shall include the current assessed value of all property within the  
 30 taxing district in the aggregate valuation of assessed property entered upon the assessor’s book and  
 31 verified pursuant to section 137.245, and such value shall be utilized for the purpose of the debt  
 32 limitation on local government pursuant to Article VI, Section 26(b) of the Missouri Constitution;

33 (3) For purposes of this section, “levies upon taxable real property in such redevelopment  
 34 project by taxing districts” shall not include the blind pension fund tax levied under the authority of  
 35 Article III, Section 38(b) of the Missouri Constitution, or the merchants’ and manufacturers’  
 36 inventory replacement tax levied under the authority of subsection 2 of Section 6 of Article X of the  
 37 Missouri Constitution, except in redevelopment project areas in which tax increment financing has  
 38 been adopted by ordinance pursuant to a plan approved by vote of the governing body of the  
 39 municipality taken after August 13, 1982, and before January 1, 1998;

40 (4) The board or body that oversees a taxing district, as that term is defined under section  
 41 99.805, may elect to have fifty percent of the property or sales taxes levied by such district excluded  
 42 from a tax increment allocation financing project or plan by passing a resolution by two-thirds  
 43 majority no later than sixty days after the project or plan is adopted or approved by ordinance. The  
 44 vote may occur before the ordinance is adopted. At least ten days prior to the vote on the  
 45 resolution, the board shall post notice of and hold a public hearing. If the resolution passes, the  
 46 board shall notify the director of revenue, the county collector, and every other taxing district in the  
 47 redevelopment area. If the resolution passes, subdivision (2) of this subsection shall not apply to  
 48 fifty percent of the tax levied by the taxing district, and fifty percent of the revenue from such tax

1 shall be allocated to the district and shall not be allocated to redevelopment costs and obligations;  
 2 and

3 (5) A school board of a school district may elect to have fifty percent of the portion of  
 4 property tax revenue allocated to the school district by a county or municipality excluded from a tax  
 5 increment allocation financing project or plan by passing a resolution by two-thirds majority no  
 6 later than sixty days after the project or plan is adopted or approved by ordinance. The vote may  
 7 occur before the ordinance is adopted. At least ten days prior to the vote on the resolution, the  
 8 board shall post notice of and hold a public hearing. If the resolution passes, the board shall notify  
 9 the director of revenue, the county collector, and every other taxing district in the redevelopment  
 10 area. If the resolution passes, subdivision (2) of this subsection shall not apply to fifty percent of  
 11 the percentage of property tax revenue equal to the average percentage of property tax revenue  
 12 allocated to the school district over the preceding five years, and such percentage of revenue  
 13 attributable to the increase in the current equalized assessed valuation of each taxable lot, block,  
 14 tract, or parcel of real property within the redevelopment project area shall be allocated to the  
 15 school district and shall not be allocated to redevelopment costs and obligations.

16 2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of  
 17 this section, for redevelopment plans and projects adopted or redevelopment projects approved by  
 18 ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total additional  
 19 revenue from taxes, penalties and interest imposed by the municipality, or other taxing districts,  
 20 which are generated by economic activities within the area of the redevelopment project over the  
 21 amount of such taxes generated by economic activities within the area of the redevelopment project  
 22 in the calendar year prior to the adoption of the redevelopment project by ordinance, while tax  
 23 increment financing remains in effect, but excluding taxes imposed on sales or charges for sleeping  
 24 rooms paid by transient guests of hotels and motels, taxes levied pursuant to section 70.500,  
 25 licenses, fees or special assessments other than payments in lieu of taxes and any penalty and  
 26 interest thereon, or, effective January 1, 1998, taxes levied pursuant to section 94.660, for the  
 27 purpose of public transportation, shall be allocated to, and paid by the local political subdivision  
 28 collecting officer to the treasurer or other designated financial officer of the municipality, who shall  
 29 deposit such funds in a separate segregated account within the special allocation fund. Any  
 30 provision of an agreement, contract or covenant entered into prior to July 12, 1990, between a  
 31 municipality and any other political subdivision which provides for an appropriation of other  
 32 municipal revenues to the special allocation fund shall be and remain enforceable.

33 3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection 1 of  
 34 this section, for redevelopment plans and projects adopted or redevelopment projects approved by  
 35 ordinance after August 31, 1991, fifty percent of the total additional revenue from taxes, penalties  
 36 and interest which are imposed by the municipality or other taxing districts, and which are  
 37 generated by economic activities within the area of the redevelopment project over the amount of  
 38 such taxes generated by economic activities within the area of the redevelopment project in the  
 39 calendar year prior to the adoption of the redevelopment project by ordinance, while tax increment  
 40 financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges  
 41 for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to section  
 42 70.500, taxes levied for the purpose of public transportation pursuant to section 94.660, taxes  
 43 imposed on sales pursuant to subsection 2 of section 67.1712 for the purpose of operating and  
 44 maintaining a metropolitan park and recreation district, licenses, fees or special assessments other  
 45 than payments in lieu of taxes and penalties and interest thereon, any sales tax imposed by a county  
 46 with a charter form of government and with more than six hundred thousand but fewer than seven  
 47 hundred thousand inhabitants, for the purpose of sports stadium improvement or levied by such  
 48 county under section 238.410 for the purpose of the county transit authority operating transportation



1 facilities, or for redevelopment plans and projects adopted or redevelopment projects approved by  
 2 ordinance after August 28, 2013, taxes imposed on sales under and pursuant to section 67.700 or  
 3 650.399 for the purpose of emergency communication systems, shall be allocated to, and paid by the  
 4 local political subdivision collecting officer to the treasurer or other designated financial officer of  
 5 the municipality, who shall deposit such funds in a separate segregated account within the special  
 6 allocation fund. Beginning August 28, 2014, if the voters in a taxing district vote to approve an  
 7 increase in such taxing district's sales tax or use tax, other than the renewal of an expiring sales or  
 8 use tax, any additional revenues generated within an existing redevelopment project area that are  
 9 directly attributable to the newly voter-approved incremental increase in such taxing district's levy  
 10 rate shall not be considered economic activity taxes subject to deposit into a special allocation fund  
 11 without the consent of such taxing district.

12 4. Beginning January 1, 1998, for redevelopment plans and projects adopted or  
 13 redevelopment projects approved by ordinance and which have complied with subsections 4 to 12 of  
 14 this section, in addition to the payments in lieu of taxes and economic activity taxes described in  
 15 subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues, as defined in  
 16 subsection 8 of this section, estimated for the businesses within the project area and identified by the  
 17 municipality in the application required by subsection 10 of this section, over and above the amount  
 18 of such taxes reported by businesses within the project area as identified by the municipality in their  
 19 application prior to the approval of the redevelopment project by ordinance, while tax increment  
 20 financing remains in effect, may be available for appropriation by the general assembly as provided  
 21 in subsection 10 of this section to the department of economic development supplemental tax  
 22 increment financing fund, from the general revenue fund, for distribution to the treasurer or other  
 23 designated financial officer of the municipality with approved plans or projects.

24 5. The treasurer or other designated financial officer of the municipality with approved  
 25 plans or projects shall deposit such funds in a separate segregated account within the special  
 26 allocation fund established pursuant to section 99.805.

27 6. No transfer from the general revenue fund to the Missouri supplemental tax increment  
 28 financing fund shall be made unless an appropriation is made from the general revenue fund for that  
 29 purpose. No municipality shall commit any state revenues prior to an appropriation being made for  
 30 that project. For all redevelopment plans or projects adopted or approved after December 23, 1997,  
 31 appropriations from the new state revenues shall not be distributed from the Missouri supplemental  
 32 tax increment financing fund into the special allocation fund unless the municipality's  
 33 redevelopment plan ensures that one hundred percent of payments in lieu of taxes and fifty percent  
 34 of economic activity taxes generated by the project shall be used for eligible redevelopment project  
 35 costs while tax increment financing remains in effect. This account shall be separate from the  
 36 account into which payments in lieu of taxes are deposited, and separate from the account into  
 37 which economic activity taxes are deposited.

38 7. In order for the redevelopment plan or project to be eligible to receive the revenue  
 39 described in subsection 4 of this section, the municipality shall comply with the requirements of  
 40 subsection 10 of this section prior to the time the project or plan is adopted or approved by  
 41 ordinance. The director of the department of economic development and the commissioner of the  
 42 office of administration may waive the requirement that the municipality's application be submitted  
 43 prior to the redevelopment plan's or project's adoption or the redevelopment plan's or project's  
 44 approval by ordinance.

45 8. For purposes of this section, "new state revenues" means:

46 (1) The incremental increase in the general revenue portion of state sales tax revenues  
 47 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes  
 48 deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on

motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law. In no event shall the incremental increase include any amounts attributable to retail sales unless the municipality or authority has proven to the Missouri development finance board and the department of economic development and such entities have made a finding that the sales tax increment attributable to retail sales is from new sources which did not exist in the state during the baseline year. The incremental increase in the general revenue portion of state sales tax revenues for an existing or relocated facility shall be the amount that current state sales tax revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan as provided in subsection 10 of this section; or

(2) The state income tax withheld on behalf of new employees by the employer pursuant to section 143.221 at the business located within the project as identified by the municipality. The state income tax withholding allowed by this section shall be the municipality's estimate of the amount of state income tax withheld by the employer within the redevelopment area for new employees who fill new jobs directly created by the tax increment financing project.

9. Subsection 4 of this section shall apply only to the following:

(1) Blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas located in federal empowerment zones, or to blighted areas located in central business districts or urban core areas of cities which districts or urban core areas at the time of approval of the project by ordinance, provided that the enterprise zones, federal empowerment zones or blighted areas contained one or more buildings at least fifty years old; and

(a) Suffered from generally declining population or property taxes over the twenty-year period immediately preceding the area's designation as a project area by ordinance; or

(b) Was a historic hotel located in a county of the first classification without a charter form of government with a population according to the most recent federal decennial census in excess of one hundred fifty thousand and containing a portion of a city with a population according to the most recent federal decennial census in excess of three hundred fifty thousand;

(2) Blighted areas consisting solely of the site of a former automobile manufacturing plant located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing plant" means a redevelopment area containing a minimum of one hundred acres, and such redevelopment area was previously used primarily for the manufacture of automobiles but ceased such manufacturing after the 2007 calendar year; or

(3) Blighted areas consisting solely of the site of a former insurance company national service center containing a minimum of one hundred acres located in any county with a charter form of government and with more than nine hundred fifty thousand inhabitants.

10. The initial appropriation of up to fifty percent of the new state revenues authorized pursuant to subsection 4 of this section shall not be made to or distributed by the department of economic development to a municipality until all of the following conditions have been satisfied:

(1) The director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee have approved a tax increment financing application made by the municipality for the appropriation of the new state revenues. The municipality shall include in the application the following items in addition to the items in section 99.810:

(a) The tax increment financing district or redevelopment area, including the businesses identified within the redevelopment area;

(b) The base year of state sales tax revenues or the base year of state income tax withheld on behalf of existing employees, reported by existing businesses within the project area prior to approval of the redevelopment project;

- 1 (c) The estimate of the incremental increase in the general revenue portion of state sales tax
- 2 revenue or the estimate for the state income tax withheld by the employer on behalf of new
- 3 employees expected to fill new jobs created within the redevelopment area after redevelopment;
- 4 (d) The official statement of any bond issue pursuant to this subsection after December 23,
- 5 1997;
- 6 (e) An affidavit that is signed by the developer or developers attesting that the provisions of
- 7 subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the
- 8 redevelopment area would not be reasonably anticipated to be developed without the appropriation
- 9 of the new state revenues;
- 10 (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal impact
- 11 on the state of Missouri;
- 12 (g) The statement of election between the use of the incremental increase of the general
- 13 revenue portion of the state sales tax revenues or the state income tax withheld by employers on
- 14 behalf of new employees who fill new jobs created in the redevelopment area;
- 15 (h) The name, street and mailing address, and phone number of the mayor or chief
- 16 executive officer of the municipality;
- 17 (i) The street address of the development site;
- 18 (j) The three-digit North American Industry Classification System number or numbers
- 19 characterizing the development project;
- 20 (k) The estimated development project costs;
- 21 (l) The anticipated sources of funds to pay such development project costs;
- 22 (m) Evidence of the commitments to finance such development project costs;
- 23 (n) The anticipated type and term of the sources of funds to pay such development project
- 24 costs;
- 25 (o) The anticipated type and terms of the obligations to be issued;
- 26 (p) The most recent equalized assessed valuation of the property within the development
- 27 project area;
- 28 (q) An estimate as to the equalized assessed valuation after the development project area is
- 29 developed in accordance with a development plan;
- 30 (r) The general land uses to apply in the development area;
- 31 (s) The total number of individuals employed in the development area, broken down by full-
- 32 time, part-time, and temporary positions;
- 33 (t) The total number of full-time equivalent positions in the development area;
- 34 (u) The current gross wages, state income tax withholdings, and federal income tax
- 35 withholdings for individuals employed in the development area;
- 36 (v) The total number of individuals employed in this state by the corporate parent of any
- 37 business benefitting from public expenditures in the development area, and all subsidiaries thereof,
- 38 as of December thirty-first of the prior fiscal year, broken down by full-time, part-time, and
- 39 temporary positions;
- 40 (w) The number of new jobs to be created by any business benefitting from public
- 41 expenditures in the development area, broken down by full-time, part-time, and temporary
- 42 positions;
- 43 (x) The average hourly wage to be paid to all current and new employees at the project site,
- 44 broken down by full-time, part-time, and temporary positions;
- 45 (y) For project sites located in a metropolitan statistical area, as defined by the federal
- 46 Office of Management and Budget, the average hourly wage paid to nonmanagerial employees in
- 47 this state for the industries involved at the project, as established by the United States Bureau of
- 48 Labor Statistics;

(z) For project sites located outside of metropolitan statistical areas, the average weekly wage paid to nonmanagerial employees in the county for industries involved at the project, as established by the United States Department of Commerce;

(aa) A list of other community and economic benefits to result from the project;

(bb) A list of all development subsidies that any business benefitting from public expenditures in the development area has previously received for the project, and the name of any other granting body from which such subsidies are sought;

(cc) A list of all other public investments made or to be made by this state or units of local government to support infrastructure or other needs generated by the project for which the funding pursuant to this section is being sought;

(dd) A statement as to whether the development project may reduce employment at any other site, within or without the state, resulting from automation, merger, acquisition, corporate restructuring, relocation, or other business activity;

(ee) A statement as to whether or not the project involves the relocation of work from another address and if so, the number of jobs to be relocated and the address from which they are to be relocated;

(ff) A list of competing businesses in the county containing the development area and in each contiguous county;

(gg) A market study for the development area;

(hh) A certification by the chief officer of the applicant as to the accuracy of the development plan;

(2) The methodologies used in the application for determining the base year and determining the estimate of the incremental increase in the general revenue portion of the state sales tax revenues or the state income tax withheld by employers on behalf of new employees who fill new jobs created in the redevelopment area shall be approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. Upon approval of the application, the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee shall issue a certificate of approval. The department of economic development may request the appropriation following application approval;

(3) The appropriation shall be either a portion of the estimate of the incremental increase in the general revenue portion of state sales tax revenues in the redevelopment area or a portion of the estimate of the state income tax withheld by the employer on behalf of new employees who fill new jobs created in the redevelopment area as indicated in the municipality's application, approved by the director of the department of economic development or his or her designee and the commissioner of the office of administration or his or her designee. At no time shall the annual amount of the new state revenues approved for disbursements from the Missouri supplemental tax increment financing fund exceed thirty-two million dollars; provided, however, that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially listed by name in the applicable appropriations bill after August 28, 2015, which involve either:

(a) A former automobile manufacturing plant; or

(b) The retention of a federal employer employing over two thousand geospatial intelligence jobs.

At no time shall the annual amount of the new state revenues for disbursements from the Missouri supplemental tax increment financing fund for redevelopment plans and projects eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in the aggregate. At no time shall the annual amount of the new state revenues for disbursements from the Missouri

1 supplemental tax increment financing fund for redevelopment plans and projects eligible under the  
2 provisions of paragraph (b) of this subdivision exceed twelve million dollars in the aggregate. To  
3 the extent a redevelopment plan or project independently meets the eligibility criteria set forth in  
4 both paragraphs (a) and (b) of this subdivision, then at no such time shall the annual amount of new  
5 state revenues for disbursements from the Missouri supplemental tax increment financing fund for  
6 such eligible redevelopment plan or project exceed twelve million dollars in the aggregate;

7 (4) Redevelopment plans and projects receiving new state revenues shall have a duration of  
8 up to fifteen years, unless prior approval for a longer term is given by the director of the department  
9 of economic development or his or her designee and the commissioner of the office of  
10 administration or his or her designee; except that, in no case shall the duration exceed twenty-three  
11 years.

12 11. In addition to the areas authorized in subsection 9 of this section, the funding authorized  
13 pursuant to subsection 4 of this section shall also be available in a federally approved levee district,  
14 where construction of a levee begins after December 23, 1997, and which is contained within a  
15 county of the first classification without a charter form of government with a population between  
16 fifty thousand and one hundred thousand inhabitants which contains all or part of a city with a  
17 population in excess of four hundred thousand or more inhabitants.

18 12. There is hereby established within the state treasury a special fund to be known as the  
19 "Missouri Supplemental Tax Increment Financing Fund", to be administered by the department of  
20 economic development. The department shall annually distribute from the Missouri supplemental  
21 tax increment financing fund the amount of the new state revenues as appropriated as provided in  
22 the provisions of subsection 4 of this section if and only if the conditions of subsection 10 of this  
23 section are met. The fund shall also consist of any gifts, contributions, grants or bequests received  
24 from federal, private or other sources. Moneys in the Missouri supplemental tax increment  
25 financing fund shall be disbursed per project pursuant to state appropriations.

26 13. Redevelopment project costs may include, at the prerogative of the state, the portion of  
27 salaries and expenses of the department of economic development and the department of revenue  
28 reasonably allocable to each redevelopment project approved for disbursements from the Missouri  
29 supplemental tax increment financing fund for the ongoing administrative functions associated with  
30 such redevelopment project. Such amounts shall be recovered from new state revenues deposited  
31 into the Missouri supplemental tax increment financing fund created under this section.

32 14. For redevelopment plans or projects approved by ordinance that result in net new jobs  
33 from the relocation of a national headquarters from another state to the area of the redevelopment  
34 project, the economic activity taxes and new state tax revenues shall not be based on a calculation of  
35 the incremental increase in taxes as compared to the base year or prior calendar year for such  
36 redevelopment project, rather the incremental increase shall be the amount of total taxes generated  
37 from the net new jobs brought in by the national headquarters from another state. In no event shall  
38 this subsection be construed to allow a redevelopment project to receive an appropriation in excess  
39 of up to fifty percent of the new state revenues.

40 15. Notwithstanding any other provision of the law to the contrary, the adoption of any tax  
41 increment financing authorized under sections 99.800 to 99.865 shall not supersede, alter, or reduce  
42 in any way a property tax levied under section 205.971."; and

43  
44 Further amend said bill by amending the title, enacting clause, and intersectional references  
45 accordingly.