

FIRST REGULAR SESSION

# HOUSE BILL NO. 428

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REMOLE.

1163H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to the approval of development applications.

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

Section A. Chapter 620, RSMo, is amended by adding thereto one new section, to be known as section 620.1016, to read as follows:

**620.1016. 1. As used in this section, the following terms mean:**

(1) "Business", any employer seeking to create at least twenty new full-time jobs by expanding its operations or by relocating from outside this state;

(2) "Development application", any application for permit; application for zoning; application for a document certifying compliance of a regulation, rule, or ordinance; or other application that is needed to expand or establish a business's operations;

(3) "State entity", the department of agriculture, department of economic development, department of natural resources, any other department or agency of the state, or any political subdivision of the state or entity thereof.

2. Notwithstanding any law to the contrary, if any development application is not approved or is denied by a state entity within six months of receipt of a complete development application, such development application shall be deemed approved and the business deemed to satisfy the requirements therein.

3. No state entity shall hinder the establishment or growth of a business for the failure to satisfy any requirement of a development application that was deemed approved under subsection 2 of this section unless the requirement addresses the ongoing conduct of a business and is not related to the establishment or growth of the business.

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.

18           **4. This section shall not apply to any requirement of a federal regulation or law.**

19           **5. The deemed approval of an application under subsection 2 of this section may**  
20 **be extended after the six-month date if a state entity shows good cause for the needed**  
21 **extension and notifies the business at least one month before such six-month date. A**  
22 **business may challenge this extension by petitioning for a declaratory judgment in the**  
23 **circuit court that has jurisdiction over the proposed expansion or relocation site. The state**  
24 **entity shall have the burden of proving good cause for the extension. Good cause shall not**  
25 **include a delay due to a cause within the state entity's control. If the court finds good**  
26 **cause, it shall grant an extension and postpone the date the application shall be deemed**  
27 **approved under subsection 2 of this section to a date the court deems reasonable. If the**  
28 **court does not find good cause, the application shall be deemed approved on the six-month**  
29 **date.**

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