

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 441, Page 1, Section A, Line 3, by
2 inserting the following after all of said line:

3
4 "67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing
5 body of the municipality in which the proposed district is located shall hold a public hearing in
6 accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.

7 2. A petition is proper if, based on the tax records of the county clerk, or the collector of
8 revenue if the district is located in a city not within a county, as of the time of filing the petition with
9 the municipal clerk, it meets the following requirements:

10 (1) It has been signed by property owners collectively owning more than fifty percent by
11 assessed value of the real property within the boundaries of the proposed district;

12 (2) It has been signed by more than fifty percent per capita of all owners of real property
13 within the boundaries of the proposed district; and

14 (3) It contains the following information:

15 (a) The legal description of the proposed district, including a map illustrating the district
16 boundaries;

17 (b) The name of the proposed district;

18 (c) A notice that the signatures of the signers may not be withdrawn later than seven days
19 after the petition is filed with the municipal clerk;

20 (d) A five-year plan stating a description of the purposes of the proposed district, the
21 services it will provide, ~~[the improvements]~~ each improvement it will make ~~[and]~~ from the list of
22 allowable improvements under section 67.1461, an estimate of the costs of these services and
23 improvements to be incurred, the anticipated sources of funds to pay the costs, and the anticipated
24 term of the sources of funds to pay the costs;

25 (e) A statement as to whether the district will be a political subdivision or a not-for-profit
26 corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

27 (f) If the district is to be a political subdivision, a statement as to whether the district will be
28 governed by a board elected by the district or whether the board will be appointed by the
29 municipality, and, if the board is to be elected by the district, the names and terms of the initial
30 board may be stated;

31 (g) If the district is to be a political subdivision, the number of directors to serve on the
32 board;

33 (h) The total assessed value of all real property within the proposed district;

34 (i) A statement as to whether the petitioners are seeking a determination that the proposed
35 district, or any legally described portion thereof, is a blighted area;

36 (j) The proposed length of time for the existence of the district, which shall not exceed

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twenty-one years from the adoption of the ordinance establishing the district unless the municipality extends the length of time under section 67.1481;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate;

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: _____

Owner's telephone number and mailing address: _____

If signer is different from owner:

Name of signer: _____

State basis of legal authority to sign: _____

Signer's telephone number and mailing address: _____

If the owner is an individual, state if owner is single or married: _____

If owner is not an individual, state what type of entity: _____

Map and parcel number and assessed value of each tract of real property within the proposed district owned: _____

By executing this petition, the undersigned represents and warrants that he or she is authorized to execute this petition on behalf of the property owner named immediately above

Signature of person

Date

signing for owner

STATE OF MISSOURI)

) ss.

COUNTY OF _____)

Before me personally appeared _____, to me personally known to be the individual described in and who executed the foregoing instrument.

WITNESS my hand and official seal this _____ day of _____ (month), _____ (year).

Notary Public

My Commission Expires: _____ ; and

(5) Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first classification with more than two hundred thousand but fewer than two hundred sixty thousand inhabitants containing the information required in subdivision (3) of this subsection; provided that the only funding methods for the services and improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to exceed ninety days after receipt of the petition, review and determine whether the petition

1 substantially complies with the requirements of subsection 2 of this section. In the event the
 2 municipal clerk receives a petition which does not meet the requirements of subsection 2 of this
 3 section, the municipal clerk shall, within a reasonable time, return the petition to the submitting
 4 party by hand delivery, first class mail, postage prepaid or other efficient means of return and shall
 5 specify which requirements have not been met.

6 4. After the close of the public hearing required pursuant to subsection 1 of this section, the
 7 governing body of the municipality may adopt an ordinance approving the petition and establishing
 8 a district as set forth in the petition and may determine, if requested in the petition, whether the
 9 district, or any legally described portion thereof, constitutes a blighted area. If the petition was filed
 10 by the governing body of a municipality pursuant to subdivision (5) of subsection 2 of this section,
 11 after the close of the public hearing required pursuant to subsection 1 of this section, the petition
 12 may be approved by the governing body and an election shall be called pursuant to section 67.1422.

13 5. Amendments to a petition may be made which do not change the proposed boundaries of
 14 the proposed district if an amended petition meeting the requirements of subsection 2 of this section
 15 is filed with the municipal clerk at the following times and the following requirements have been
 16 met:

17 (1) At any time prior to the close of the public hearing required pursuant to subsection 1 of
 18 this section; provided that, notice of the contents of the amended petition is given at the public
 19 hearing;

20 (2) At any time after the public hearing and prior to the adoption of an ordinance
 21 establishing the proposed district; provided that, notice of the amendments to the petition is given by
 22 publishing the notice in a newspaper of general circulation within the municipality and by sending
 23 the notice via registered certified United States mail with a return receipt attached to the address of
 24 record of each owner of record of real property within the boundaries of the proposed district per the
 25 tax records of the county clerk, or the collector of revenue if the district is located in a city not
 26 within a county. Such notice shall be published and mailed not less than ten days prior to the
 27 adoption of the ordinance establishing the district;

28 (3) At any time after the adoption of any ordinance establishing the district a public hearing
 29 on the amended petition is held and notice of the public hearing is given in the manner provided in
 30 section 67.1431 and the governing body of the municipality in which the district is located adopts an
 31 ordinance approving the amended petition after the public hearing is held.

32 6. Upon the creation of a district, the municipal clerk shall report in writing the creation of
 33 such district to the Missouri department of economic development and the state auditor.

34 67.1451. 1. If a district is a political subdivision, the election and qualifications of members
 35 to the district's board of directors shall be in accordance with this section. If a district is a not-for-
 36 profit corporation, the election and qualification of members to its board of directors shall be in
 37 accordance with chapter 355.

38 2. (1) The district shall be governed by a board consisting of at least five but not more than
 39 thirty directors.

40 (2) Except as otherwise provided in this subsection, each director shall, during his or her
 41 entire term~~[-be]~~:

42 [(1)] (a) ~~Be~~ at least eighteen years of age; [~~and~~

43 ———(2)] (b) Be either:

44 [(a)] a. An owner, as defined in section 67.1401, of real property or of a business operating
 45 within the district; or

46 [(b)] b. A registered voter residing within the district; and

47 [(3)] (c) Satisfy any other qualifications set forth in the petition establishing the district. (3)
 48 If there are no registered voters in the district, at least one director shall, during his or her entire
 49 term, be a person who:

- 1 (a) Resides within the municipality that established the district;
 2 (b) Is qualified and registered to vote under chapter 115 according to the records of the
 3 election authority as of the thirtieth day prior to the date of the applicable election;
 4 (c) Has no financial interest in any real property or business operating within the district;
 5 and
 6 (d) Is not a relative within the second degree of consanguinity or affinity to an owner of real
 7 property or a business operating in the district.

8 (4) If there are fewer than five owners of real property located within a district, the board
 9 may be comprised of up to five legally authorized representatives of any of the owners of real
 10 property located within the district.

11 3. If the district is a political subdivision, the board shall be elected or appointed, as
 12 provided in the petition. However, if the board is to be elected, the petition shall require at least one
 13 member of the board be appointed by the governing body of the municipality in the same manner as
 14 provided in this section for board appointments. The appointed board member shall serve a four-
 15 year term.

16 4. If the board is to be elected, the procedure for election shall be as follows:

17 (1) The municipal clerk shall specify a date on which the election shall occur which date
 18 shall be a Tuesday and shall not be earlier than the tenth Tuesday, and shall not be later than the
 19 fifteenth Tuesday, after the effective date of the ordinance adopted to establish the district;

20 (2) The election shall be conducted in the same manner as provided for in section 67.1551,
 21 provided that the published notice of the election shall contain the information required by section
 22 67.1551 for published notices, except that it shall state that the purpose of the election is for the
 23 election of directors, in lieu of the information related to taxes;

24 (3) Candidates shall pay the sum of five dollars as a filing fee and shall file not later than the
 25 second Tuesday after the effective date of the ordinance establishing the district with the municipal
 26 clerk a statement under oath that he or she possesses all of the qualifications set out in this section
 27 for a director. Thereafter, such candidate shall have his or her name placed on the ballot as a
 28 candidate for director;

29 (4) The director or directors to be elected shall be elected at large. The person receiving the
 30 most votes shall be elected to the position having the longest term; the person receiving the second
 31 highest votes shall be elected to the position having the next longest term and so forth. For any
 32 district formed prior to August 28, 2003, of the initial directors, one-half shall serve for a two-year
 33 term, one-half shall serve for a four-year term and if an odd number of directors are elected, the
 34 director receiving the least number of votes shall serve for a two-year term, until such director's
 35 successor is elected. For any district formed on or after August 28, 2003, for the initial directors,
 36 one-half shall serve for a two-year term, and one-half shall serve for the term specified by the
 37 district pursuant to subdivision (5) of this subsection, and if an odd number of directors are elected,
 38 the director receiving the least number of votes shall serve for a two-year term, until such director's
 39 successor is elected;

40 (5) Successor directors shall be elected in the same manner as the initial directors. The date
 41 of the election of successor directors shall be specified by the municipal clerk which date shall be a
 42 Tuesday and shall not be later than the date of the expiration of the stated term of the expiring
 43 director. Each successor director shall serve a term for the length specified prior to the election by
 44 the district, which term shall be at least three years and not more than four years, and shall continue
 45 until such director's successor is elected.

46
 47 In the event of a vacancy on the board of directors, the remaining directors shall elect an interim
 48 director to fill the vacancy for the unexpired term.

49 5. If the petition provides that the board is to be appointed by the municipality, such

1 appointments shall be made by the chief elected officer of the municipality with the consent of the
 2 governing body of the municipality. For any district formed prior to August 28, 2003, of the initial
 3 appointed directors, one-half of the directors shall be appointed to serve for a two-year term and the
 4 remaining one-half shall be appointed to serve for a four-year term until such director's successor is
 5 appointed; provided that, if there is an odd number of directors, the last person appointed shall serve
 6 a two-year term. For any district formed on or after August 28, 2003, of the initial appointed
 7 directors, one-half shall be appointed to serve for a two-year term, and one-half shall be appointed
 8 to serve for the term specified by the district for successor directors pursuant to this subsection, and
 9 if an odd number of directors are appointed, the last person appointed shall serve for a two-year
 10 term; provided that each director shall serve until such director's successor is appointed. Successor
 11 directors shall be appointed in the same manner as the initial directors and shall serve for a term of
 12 years specified by the district prior to the appointment, which term shall be at least three years and
 13 not more than four years.

14 6. If the petition states the names of the initial directors, those directors shall serve for the
 15 terms specified in the petition and successor directors shall be determined either by the above-listed
 16 election process or appointment process as provided in the petition.

17 7. Any director may be removed for cause by a two-thirds affirmative vote of the directors
 18 of the board. Written notice of the proposed removal shall be given to all directors prior to action
 19 thereon.

20 8. The board is authorized to act on behalf of the district, subject to approval of qualified
 21 voters as required in this section; except that, all official acts of the board shall be by written
 22 resolution approved by the board.

23 67.1461. 1. Each district shall have all the powers, except to the extent any such power has
 24 been limited by the petition approved by the governing body of the municipality to establish the
 25 district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401 to
 26 67.1571 including, but not limited to, the following:

27 (1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to 67.1571,
 28 necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

29 (2) To sue and be sued;

30 (3) To make and enter into contracts and other instruments, with public and private entities,
 31 necessary or convenient to exercise its powers and carry out its duties pursuant to sections 67.1401
 32 to 67.1571;

33 (4) To accept grants, guarantees and donations of property, labor, services, or other things of
 34 value from any public or private source;

35 (5) To employ or contract for such managerial, engineering, legal, technical, clerical,
 36 accounting, or other assistance as it deems advisable;

37 (6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property
 38 within its boundaries, personal property, or any interest in such property;

39 (7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise
 40 encumber or dispose of any real or personal property or any interest in such property;

41 (8) To levy and collect special assessments and taxes as provided in sections 67.1401 to
 42 67.1571. However, no such assessments or taxes shall be levied on any property exempt from
 43 taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of
 44 section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

45 (9) If the district is a political subdivision, to levy real property taxes and business license
 46 taxes in the county seat of a county of the first classification containing a population of at least two
 47 hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or
 48 taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of
 49 section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may

1 voluntarily participate in the provisions of sections 67.1401 to 67.1571;

2 (10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401
3 to 67.1571;

4 (11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:

5 (a) The district's real property, except for public rights-of-way for utilities;

6 (b) The district's personal property, except in a city not within a county; or

7 (c) Any of the district's interests in such real or personal property, except for public rights-
8 of-way for utilities;

9 (12) To borrow money from any public or private source and issue obligations and provide
10 security for the repayment of the same as provided in sections 67.1401 to 67.1571;

11 (13) To loan money as provided in sections 67.1401 to 67.1571;

12 (14) To make expenditures, create reserve funds, and use its revenues as necessary to carry
13 out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

14 (15) To enter into one or more agreements with the municipality for the purpose of abating
15 any public nuisance within the boundaries of the district including, but not limited to, the
16 stabilization, repair or maintenance or demolition and removal of buildings or structures, provided
17 that the municipality has declared the existence of a public nuisance;

18 (16) Within its boundaries, to provide assistance to or to construct, reconstruct, install,
19 repair, maintain, and equip any of the following public improvements:

20 (a) Pedestrian or shopping malls and plazas;

21 (b) Parks, lawns, trees, and any other landscape;

22 (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

23 (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic
24 signs and signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

25 (e) Parking lots, garages, or other facilities;

26 (f) Lakes, dams, and waterways;

27 (g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees,
28 awnings, canopies, walls, and barriers;

29 (h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

30 (i) Paintings, murals, display cases, sculptures, and fountains;

31 (j) Music, news, and child-care facilities; and

32 (k) Any other useful, necessary, or desired public improvement specified in the petition;

33 (17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks,
34 parks, and other real property and improvements located within its boundaries for public use;

35 (18) Within its boundaries and with the municipality's consent, to prohibit or restrict
36 vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and
37 tunnels and to provide the means for access by emergency vehicles to or in such areas;

38 (19) Within its boundaries, to operate or to contract for the provision of music, news, child-
39 care, or parking facilities, and buses, minibuses, or other modes of transportation;

40 (20) Within its boundaries, to lease space for sidewalk cafe tables and chairs;

41 (21) Within its boundaries, to provide or contract for the provision of security personnel,
42 equipment, or facilities for the protection of property and persons;

43 (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other
44 services to public and private property;

45 (23) To produce and promote any tourism, recreational or cultural activity or special event
46 in the district by, but not limited to, advertising, decoration of any public place in the district,
47 promotion of such activity and special events, and furnishing music in any public place;

48 (24) To support business activity and economic development in the district including, but
49 not limited to, the promotion of business activity, development and retention, and the recruitment of

1 developers and businesses;

2 (25) To provide or support training programs for employees of businesses within the district;

3 (26) To provide refuse collection and disposal services within the district;

4 (27) To contract for or conduct economic, planning, marketing or other studies;

5 (28) To repair, restore, or maintain any abandoned cemetery on public or private land within
6 the district; and

7 (29) To partner with a telecommunications company or broadband service provider in order
8 to construct or improve telecommunications facilities which shall be wholly owned and operated by
9 the telecommunications company or broadband service provider, as the terms "telecommunications
10 company" and "telecommunications facilities" are defined in section 386.020 and subject to the
11 provisions of section 392.410, that are in an unserved or underserved area, as defined in section
12 620.2450. Before any facilities are improved or constructed as a result of this section, the area shall
13 be certified as unserved or underserved by the director of broadband development within the
14 department of economic development;

15 (30) To carry out any other powers set forth in sections 67.1401 to 67.1571.

16 2. Each district which is located in a blighted area or which includes a blighted area shall
17 have the following additional powers:

18 (1) Within its blighted area, to contract with any private property owner to demolish and
19 remove, renovate, reconstruct, or rehabilitate any building or structure owned by such private
20 property owner; and

21 (2) To expend its revenues or loan its revenues pursuant to a contract entered into pursuant
22 to this subsection, provided that the governing body of the municipality has determined that the
23 action to be taken pursuant to such contract is reasonably anticipated to remediate the blighting
24 conditions and will serve a public purpose.

25 3. Each district shall annually reimburse the municipality for the reasonable and actual
26 expenses incurred by the municipality to establish such district and review annual budgets and
27 reports of such district required to be submitted to the municipality; provided that, such annual
28 reimbursement shall not exceed one and one-half percent of the revenues collected by the district in
29 such year.

30 4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district any
31 sovereign right of municipalities to promote order, safety, health, morals, and general welfare of the
32 public, except those such police powers, if any, expressly delegated pursuant to sections 67.1401 to
33 67.1571.

34 5. The governing body of the municipality establishing the district shall not decrease the
35 level of publicly funded services in the district existing prior to the creation of the district or transfer
36 the financial burden of providing the services to the district unless the services at the same time are
37 decreased throughout the municipality, nor shall the governing body discriminate in the provision of
38 the publicly funded services between areas included in such district and areas not so included.

39 6. No contract for construction or professional services shall be entered into by the district
40 unless the contract is submitted to competitive bidding and the contract is awarded to the lowest or
41 best bidder. Notice of the letting of the contracts shall be given in the manner provided by section
42 8.250.

43 67.1471. 1. The fiscal year for the district shall be the same as the fiscal year of the
44 municipality.

45 2. No earlier than one hundred eighty days and no later than ninety days prior to the first day
46 of each fiscal year, the board shall submit to the governing body of the city a proposed annual
47 budget, setting forth expected expenditures, revenues, and rates of assessments and taxes, if any, for
48 such fiscal year. The governing body may review and comment to the board on this proposed
49 budget, but if such comments are given, the governing body of the municipality shall provide such

1 written comments to the board no later than sixty days prior to the first day of the relevant fiscal
2 year; such comments shall not constitute requirements but shall only be recommendations.

3 3. The board shall hold an annual meeting and adopt an annual budget no later than thirty
4 days prior to the first day of each fiscal year.

5 4. Within one hundred twenty days after the end of each fiscal year, the district shall submit
6 a report to the municipal clerk and the Missouri department of economic development [~~stating~~].
7 The report shall state the services provided, revenues collected, and expenditures made by the
8 district during such fiscal year[~~7~~]; state the dates the district adopted its annual budget, submitted its
9 proposed annual budget to the municipality, and submitted its annual report to the municipal clerk;
10 and include copies of written resolutions approved by the board during the fiscal year. The
11 municipal clerk shall retain this report as part of the official records of the municipality and shall
12 also cause this report to be spread upon the records of the governing body.

13 5. The state auditor may audit a district in the same manner as the auditor may audit any
14 agency of the state.

15 6. Any district that fails to timely submit a proposed annual budget to the municipality,
16 adopt an annual budget, or submit an annual report to the municipal clerk and the department of
17 economic development shall be subject to a fine of one hundred dollars per day. Any fine under this
18 subsection shall be imposed and collected by the department of economic development and paid
19 into the public school fund of the municipality in which the district is located.

20 67.1481. 1. Each ordinance establishing a district shall set forth the term for the existence
21 of such district which term may be defined as a minimum, maximum, or definite number of years,
22 but the term shall not exceed twenty-one years except as provided under subsection 6 of this section.

23 2. Upon receipt by the municipal clerk of a proper petition and after notice and a public
24 hearing, any district may be terminated by ordinance adopted by the governing body of the
25 municipality prior to the expiration of its term if the district has no outstanding obligations. A copy
26 of such ordinance shall be given to the department of economic development.

27 3. A petition for the termination of a district is proper if:

28 (1) It names the district to be terminated;

29 (2) It has been signed by owners of real property collectively owning more than fifty percent
30 by assessed value of real property within the boundaries of the district;

31 (3) It has been signed by more than fifty percent per capita of owners of real property within
32 the boundaries of the district;

33 (4) It contains a plan for dissolution and distribution of the assets of the district; and

34 (5) The signature block signed by each petitioner is in the form set forth in subdivision (4)
35 of subsection 2 of section 67.1421.

36 4. The public hearing required by this section shall be held and notice of such public hearing
37 shall be given in the manner set forth in section 67.1431. The notice shall contain the following
38 information:

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

40 (2) A statement that a petition requesting the termination of the district has been filed with
41 the municipal clerk;

42 (3) A statement that a copy of the petition is available at the office of the municipal clerk
43 during regular business hours; and

44 (4) A statement that all interested parties will be given an opportunity to be heard.

45 5. Upon expiration or termination of a district, the [~~assets~~] real or personal property,
46 machinery, equipment, materials, and supplies of such district shall either be [distributed] sold or
47 transferred in accordance with the plan for dissolution as approved by ordinance. [Every effort
48 should be made by the municipality for the assets of the district to be distributed in such a manner so
49 as to benefit the real property which was formerly a part of the district.] All proceeds of sold

1 property and district funds shall be distributed to the public school fund of the municipality in which
 2 the district is located.

3 6. Prior to the expiration of the term of a district, a municipality may adopt an ordinance to
 4 extend the term of the existence of a district after holding a public hearing on the proposed
 5 extension. The extended term may be defined as a minimum, maximum, or definite number of
 6 years, but the extended term shall not exceed twenty-one years. Notice of the hearing shall be given
 7 in the same manner as required under section 67.1431, except the notice shall include the time, date,
 8 and place of the public hearing; the name of the district; a map showing the boundaries of the
 9 existing district; and a statement that all interested persons shall be given an opportunity to be heard
 10 at the public hearing.

11 67.1545. 1. Any district formed as a political subdivision may impose by resolution a
 12 district sales and use tax on all retail sales made in such district which are subject to taxation
 13 pursuant to sections 144.010 to 144.525, except sales of motor vehicles, trailers, boats or outboard
 14 motors and sales to or by public utilities and providers of communications, cable, or video services.
 15 Any sales and use tax imposed pursuant to this section may be imposed in increments of one-eighth
 16 of one percent, up to a maximum of one percent. Such district sales and use tax may be imposed for
 17 any district purpose designated by the district in its ballot of submission to its qualified voters;
 18 except that, no resolution adopted pursuant to this section shall become effective unless the board of
 19 directors of the district submits to the qualified voters of the district, by mail-in ballot, a proposal to
 20 authorize a sales and use tax pursuant to this section. If a majority of the votes cast by the qualified
 21 voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a
 22 majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is
 23 void.

24 2. The ballot shall be substantially in the following form:

25 Shall the _____ (insert name of district) Community Improvement District
 26 impose a community improvement districtwide sales and use tax at the
 27 maximum rate of _____ (insert amount) for a period of _____ (insert
 28 number) years from the date on which such tax is first imposed for the
 29 purpose of providing revenue for _____ (insert general description of the
 30 purpose)?

31 ☐ YES ☐ NO

32 If you are in favor of the question, place an "X" in the box opposite "YES". If
 33 you are opposed to the question, place an "X" in the box opposite "NO".

34 3. Within ten days after the qualified voters have approved the imposition of the sales and
 35 use tax, the district shall, in accordance with section 32.087, notify the director of the department of
 36 revenue. The sales and use tax authorized by this section shall become effective on the first day of
 37 the second calendar quarter after the director of the department of revenue receives notice of the
 38 adoption of such tax.

39 4. The director of the department of revenue shall collect any tax adopted pursuant to this
 40 section pursuant to section 32.087.

41 5. In each district in which a sales and use tax is imposed pursuant to this section, every
 42 retailer shall add such additional tax imposed by the district to such retailer's sale price, and when so
 43 added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the
 44 retailer until paid and shall be recoverable at law in the same manner as the purchase price.

45 6. In order to allow retailers to collect and report the sales and use tax authorized by this
 46 section as well as all other sales and use taxes required by law in the simplest and most efficient
 47 manner possible, a district may establish appropriate brackets to be used in the district imposing a
 48 tax pursuant to this section in lieu of the brackets provided in section 144.285.

49 7. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this

1 section.

2 8. All revenue received by the district from a sales and use tax imposed pursuant to this
3 section which is designated for a specific purpose shall be deposited into a special trust fund and
4 expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to
5 this section, all funds remaining in the special trust fund shall continue to be used solely for the
6 specific purpose designated in the resolution adopted by the qualified voters. Any funds in such
7 special trust fund which are not needed for current expenditures may be invested by the board of
8 directors pursuant to applicable laws relating to the investment of other district funds.

9 9. A district may repeal by resolution any sales and use tax imposed pursuant to this section
10 before the expiration date of such sales and use tax unless the repeal of such sales and use tax will
11 impair the district's ability to repay any liabilities the district has incurred, moneys the district has
12 borrowed or obligation the district has issued to finance any improvements or services rendered for
13 the district.

14 10. Notwithstanding the provisions of chapter 115, an election for a district sales and use tax
15 under this section shall be conducted in accordance with the provisions of this section.

16 11. In each district in which a sales tax is imposed under this section:

17 (a) The board shall post a sign outdoors near each customer entrance of each retail
18 establishment in the district. The sign shall be no smaller than one foot by two feet with the writing
19 thereon clearly legible and no smaller than three-quarters inch in height; and

20 (b) Every retailer shall prominently display a sign at the point of sale area.

21
22 The signs shall substantively state: "The _____ Community Improvement District board of
23 directors charges a sales tax of _____ percent at (this/these) (retailer/retailers) in addition to the state
24 and local sales tax rates of _____ percent."; and
25

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