

# HOUSE BILL NO. 3374

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE EALY.

7331H.011

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To amend chapter 68, RSMo, by adding thereto one new section relating to uses for port authority developments.

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

Section A. Chapter 68, RSMo, is amended by adding thereto one new section, to be  
2 known as section 68.330, to read as follows:

**68.330. 1. A covenant agreement for incentivized development under this**  
2 **chapter that is supported by bonds, leases, payments in lieu of taxes, or exemptions shall**  
3 **include a provision prohibiting use of the facilities for detention, corrections, or civil**  
4 **confinement for a period of three years from the date of the agreement.**

5 **2. The provisions of subsection 1 of this section shall not apply if the following**  
6 **entities agree to an exemption:**

7 **(1) The port authority board, in a public hearing;**

8 **(2) The governing body of the municipality in which the port authority facility is**  
9 **located; and**

10 **(3) The governing bodies of a majority of affected taxing jurisdictions.**

11 **3. A violation of subsection 1 of this section without meeting the requirements for**  
12 **exemption under subsection 2 of this section shall result in:**

13 **(1) Automatic termination of any incentives;**

14 **(2) A clawback equal to the value of incentives already realized; and**

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.

15           **(3) Liquidated damages payable to the taxing jurisdictions, if ordered by a court**  
16 **of competent jurisdiction.**

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