

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 0591,
2 Page 10, Section 34.057, Line 152 by inserting after said line the following:

3 "135.215. 1. Improvements made to "real property" as such term is defined in section
4 137.010, which are made in an enterprise zone subsequent to the date such zone or expansion
5 thereto was designated, may upon approval of an authorizing resolution by the governing
6 authority having jurisdiction of the area in which the improvements are made, be exempt, in
7 whole or in part, from assessment and payment of ad valorem taxes of one or more affected
8 political subdivisions, provided that, except as to the exemption allowed under subsection 3 of
9 this section, at least fifty new jobs that provide an average of at least thirty-five hours of
10 employment per week per job are created and maintained at the new or expanded facility. Such
11 authorizing resolution shall specify the percent of the exemption to be granted, the duration of the
12 exemption to be granted, and the political subdivisions to which such exemption is to apply and
13 any other terms, conditions or stipulations otherwise required. A copy of the resolution shall be
14 provided the director within thirty calendar days following adoption of the resolution by the
15 governing authority.

16 2. No exemption shall be granted until the governing authority holds a public hearing for
17 the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be
18 affected by the exemption from property taxes. The governing authority shall send, by certified
19 mail, a notice of such hearing to each political subdivision in the area to be affected and shall
20 publish notice of such hearing in a newspaper of general circulation in the area to be affected by
21 the exemption at least twenty days prior to the hearing but not more than thirty days prior to the
22 hearing. Such notice shall state the time, location, date and purpose of the hearing.

23 3. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes
24 otherwise imposed on subsequent improvements to real property located in an enterprise zone
25 shall become and remain exempt from assessment and payment of ad valorem taxes of any
26 political subdivision of this state or municipality thereof, if said political subdivision or
27 municipality levies ad valorem taxes, for a period of not less than ten years following the date
28 such improvements were assessed, provided the improved properties are used for assembling,
29 fabricating, processing, manufacturing, mining, warehousing or distributing properties.

1 4. No exemption shall be granted for a period more than twenty-five years following the
2 date on which the original enterprise zone was designated by the department except for any
3 enterprise zone within any home rule city with more than one hundred fifty-one thousand five
4 hundred but less than one hundred fifty-one thousand six hundred inhabitants provided in any
5 instance the exemption shall not be granted for a period longer than twenty-five years from the
6 date on which the exemption was granted.

7 5. The provisions of subsection 1 of this section shall not apply to improvements made to
8 real property which have been started prior to August 28, 1991.

9 6. The mandatory abatement referred to in this section shall not relieve the assessor or
10 other responsible official from ascertaining the amount of the equalized assessed value of all
11 taxable property annually as required by section 99.855 and shall not have the effect of reducing
12 the payments in lieu of taxes referred to in subdivision (2) of section 99.845 unless such reduction
13 is set forth in the plan approved by the governing body of the municipality pursuant to subdivision
14 (1) of section 99.820.

15 7. Effective August 28, 2004, any abatement or exemption provided for in this section on
16 an individual parcel of real property shall cease after a period of thirty days of business closure,
17 work stoppage, major reduction in force, or a significant change in the type of business conducted
18 at that location. For the purposes of this subsection, "work stoppage" shall not include strike or
19 lockout or time necessary to retool a plant, and "major reduction in force" is defined as a
20 seventy-five percent or greater reduction.

21 Any owner or new owner may reapply, but cannot receive the abatement or exemption for any
22 period of time beyond the original life of the enterprise zone.

23 135.963. 1. Improvements made to real property as such term is defined in section
24 137.010 which are made in an enhanced enterprise zone subsequent to the date such zone or
25 expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance
26 by the governing authority having jurisdiction of the area in which the improvements are made, be
27 exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more
28 affected political subdivisions. Improvements made to real property, as such term is defined in
29 section 137.010, which are locally assessed and in a renewable energy generation zone designated
30 as an enhanced enterprise zone, subsequent to the date such enhanced enterprise zone or
31 expansion thereto was designated, may, upon approval of an authorizing resolution or ordinance
32 by the governing authority having jurisdiction of the area in which the improvements are made, be
33 exempt, in whole or in part, from assessment and payment of ad valorem taxes of one or more
34 affected political subdivisions. In addition to enhanced business enterprises, a speculative
35 industrial or warehouse building constructed by a public entity or a private entity if the land is
36 leased by a public entity may be subject to such exemption.

1 2. Such authorizing resolution shall specify the percent of the exemption to be granted,
2 the duration of the exemption to be granted, and the political subdivisions to which such
3 exemption is to apply and any other terms, conditions, or stipulations otherwise required. A copy
4 of the resolution shall be provided to the director within thirty calendar days following adoption of
5 the resolution by the governing authority.

6 3. No exemption shall be granted until the governing authority holds a public hearing for
7 the purpose of obtaining the opinions and suggestions of residents of political subdivisions to be
8 affected by the exemption from property taxes. The governing authority shall send, by certified
9 mail, a notice of such hearing to each political subdivision in the area to be affected and shall
10 publish notice of such hearing in a newspaper of general circulation in the area to be affected by
11 the exemption at least twenty days prior to the hearing but not more than thirty days prior to the
12 hearing. Such notice shall state the time, location, date, and purpose of the hearing.

13 4. Notwithstanding subsection 1 of this section, at least one-half of the ad valorem taxes
14 otherwise imposed on subsequent improvements to real property located in an enhanced enterprise
15 zone of enhanced business enterprises or speculative industrial or warehouse buildings as
16 indicated in subsection 1 of this section shall become and remain exempt from assessment and
17 payment of ad valorem taxes of any political subdivision of this state or municipality thereof, if
18 said political subdivision or municipality levies ad valorem taxes, for a period of not less than ten
19 years following the date such improvements were assessed, provided the improved properties are
20 used for enhanced business enterprises. The exemption for speculative buildings is subject to the
21 approval of the governing authority for a period not to exceed two years if the building is owned
22 by a private entity and five years if the building is owned or ground leased by a public entity. This
23 shall not preclude the building receiving an exemption for the remaining time period established
24 by the governing authority if it was occupied by an enhanced business enterprise. The two- and
25 five-year time periods indicated for speculative buildings shall not be an addition to the local
26 abatement time period for such facility.

27 5. No exemption shall be granted for a period more than twenty-five years following the
28 date on which the original enhanced enterprise zone was designated by the department.

29 6. The provisions of subsection 1 of this section shall not apply to improvements made to
30 real property begun prior to August 28, 2004.

31 7. The abatement referred to in this section shall not relieve the assessor or other
32 responsible official from ascertaining the amount of the equalized assessed value of all taxable
33 property annually as required by section 99.855, 99.957, or 99.1042 and shall not have the effect
34 of reducing the payments in lieu of taxes referred to in subdivision (2) of subsection 1 of section
35 99.845, subdivision (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of
36 section 99.1042 unless such reduction is set forth in the plan approved by the governing body of

1 the municipality pursuant to subdivision (1) of subsection 1 of section 99.820, section 99.942, or
2 section 99.1027. “; and
3
4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.