

HOUSE _____ **AMENDMENT NO.** _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 366, Page 1, Section A, Line 2, by
2 inserting after all of said line the following:

3
4 “67.1461. 1. Each district shall have all the powers, except to the extent any such power
5 has been limited by the petition approved by the governing body of the municipality to establish
6 the district, necessary to carry out and effectuate the purposes and provisions of sections 67.1401
7 to 67.1571 including, but not limited to, the following:

8 (1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to
9 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

10 (2) To sue and be sued;

11 (3) To make and enter into contracts and other instruments, with public and private
12 entities, necessary or convenient to exercise its powers and carry out its duties pursuant to sections
13 67.1401 to 67.1571;

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

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

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

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

1 (8) To levy and collect special assessments and taxes as provided in sections 67.1401 to
2 67.1571. However, no such assessments or taxes shall be levied on any property exempt from
3 taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5)
4 of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

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

11 (10) If the district is a political subdivision, to levy sales taxes pursuant to sections
12 67.1401 to 67.1571;

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

- 15 (a) The district's real property, except for public rights-of-way for utilities;
- 16 (b) The district's personal property, except in a city not within a county; or
- 17 (c) Any of the district's interests in such real or personal property, except for public
18 rights-of-way for utilities;

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

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

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

24 (15) To enter into one or more agreements with the municipality for the purpose of
25 abating any public nuisance within the boundaries of the district including, but not limited to, the
26 stabilization, repair or maintenance or demolition and removal of buildings or structures, provided

1 that the municipality has declared the existence of a public nuisance;

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

4 (a) Pedestrian or shopping malls and plazas;

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

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

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

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

11 (f) Lakes, dams, and waterways;

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

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

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

16 (j) Music, news, and child-care facilities; [and]

17 (k) Any property, device, structure, or equipment necessary for the acquisition,
18 installation, equipping, and improvement of any real or personal property used for the purpose of
19 creating a solar photovoltaic project or a solar thermal energy project, whether such real or
20 personal property is publicly or privately owned; and

21 (l) Any other useful, necessary, or desired improvement;

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

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

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

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

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

6 (22) Within its boundaries, to provide or contract for cleaning, maintenance, and other
7 services to public and private property, including, but not limited to, real or personal property
8 installed as part of a special energy improvement project;

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

12 (24) To support business activity and economic development in the district including, but
13 not limited to, the promotion of business activity, development and retention, and the recruitment
14 of developers and businesses;

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

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

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

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

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

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

24 (1) Within its blighted area, to contract with any private property owner to demolish
25 [and], remove, renovate, reconstruct, construct, or rehabilitate any building [or], structure, or
26 improvement owned by such private property owner; and

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

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

10 4. Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any district
11 any sovereign right of municipalities to promote order, safety, health, morals, and general welfare
12 of the public, except those such police powers, if any, expressly delegated pursuant to sections
13 67.1401 to 67.1571.

14 5. The governing body of the municipality establishing the district shall not decrease the
15 level of publicly funded services in the district existing prior to the creation of the district or
16 transfer the financial burden of providing the services to the district unless the services at the same
17 time are decreased throughout the municipality, nor shall the governing body discriminate in the
18 provision of the publicly funded services between areas included in such district and areas not so
19 included.”; and

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