

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 738, Page 9, Section 66.620, Line 300,
2 by inserting after all of said section and line the following:

3
4 "67.2050. 1. As used in this section, unless the context clearly indicates otherwise, the
5 following terms mean:

6 (1) "Facility", a location composed of real estate, buildings, fixtures, machinery, and
7 equipment;

8 (2) "Municipality", any county, city, incorporated town, or village of the state;

9 (3) "NAICS", the 2007 edition of the North American Industry Classification System
10 developed under the direction and guidance of the federal Office of Management and Budget. Any
11 NAICS sector, subsector, industry group, or industry identified in this section shall include its
12 corresponding classification in previous and subsequent federal industry classification systems;

13 (4) "Technology business facility", a facility purchased, constructed, extended, or improved
14 under this section, provided that such business facility is engaged in:

15 (a) Wired telecommunications carriers (NAICS 517110);

16 (b) Data processing, hosting, and related services (NAICS 518210); or

17 (c) Internet publishing and broadcasting and web search portals (NAICS 519130) at the
18 business facility;

19 (5) "Technology business facility project" or "project", the purchase, construction,
20 extension, or improvement of technology business facilities, whether of the facility as a whole or of
21 any one or more of the facility's components of real estate, buildings, fixtures, machinery, and
22 equipment.

23 2. The governing body of any municipality may:

24 (1) Carry out technology business facility projects for economic development under this
25 section;

26 (2) Accept grants from the federal and state governments for technology business facility
27 project purposes and may enter into such agreements as are not contrary to the laws of this state
28 which may be required as a condition of grants by the federal government or its agencies; and

29 (3) Receive gifts and donations from private sources to be used for technology business
30 facility project purposes.

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 3. The governing body of the municipality may enter into loan agreements, and sell, lease,
2 or mortgage to private persons, partnerships, or corporations any one or more of the components of
3 a facility received, purchased, constructed, or extended by the municipality for development of a
4 technology business facility project. The loan agreement, installment sale agreement, lease, or other
5 such document shall contain such other terms as are agreed upon between the municipality and the
6 obligor, provided that such terms shall be consistent with this section. If, in the judgment of the
7 governing body of the municipality, the technology business facility project will result in economic
8 benefits to the municipality, the governing body may lawfully enter into an agreement that includes
9 nominal monetary consideration to the municipality in exchange for the use of one or more
10 components of the facility.

11 4. Transactions involving the lease or rental of any components of a project under this
12 section shall be specifically exempted from the provisions of the local sales tax law as defined under
13 sections 32.085, 238.235, 144.010 to 144.525, and 144.600 to 144.761 and exempted from the
14 computation of the tax levied, assessed, or payable under the local sales tax law as defined under
15 sections 32.085, 238.235, 144.010 to 144.525, and 144.600 to 144.745.

16 5. Leasehold interests granted and held under this section shall not be subject to property
17 taxes.

18 6. Any payments in lieu of taxes expected to be made by any lessee of the project shall be
19 applied in accordance with this section. The lessee may reimburse the municipality for its actual
20 costs of administering the plan. All amounts paid in excess of such actual costs shall, immediately
21 upon receipt thereof, be disbursed by the municipality's treasurer or other financial officer to each
22 affected taxing entity in proportion to the current ad valorem tax levy of each affected taxing entity.

23 7. The county assessor shall include the current assessed value of all property within the
24 affected taxing entities in the aggregate valuation of assessed property entered upon the assessor's
25 book and verified under section 137.245, and such value shall be used for the purpose of the debt
26 limitation on local government under article VI, section 26(b) of the Constitution of Missouri.

27 8. The governing body of any municipality may sell or otherwise dispose of the property,
28 buildings, or plants acquired under this section to private persons or corporations for technology
29 business facility project purposes upon approval by the governing body. The terms and method of
30 the sale or other disposal shall be established by the governing body so as to reasonably protect the
31 economic well-being of the municipality and to promote the development of technology business
32 facility projects. A private person or corporation that initially transfers property to the municipality
33 for the purposes of a technology business facility project and that does not charge a purchase price
34 to the municipality shall retain the right, upon request to the municipality, to have the municipality
35 retransfer the donated property to the person or corporation at no cost.

36 9. The provisions of this section shall not be construed to allow political subdivisions to
37 provide telecommunications services or telecommunications facilities to the extent that they are
38 prohibited from doing so under section 392.410."; and

39
40 Further amend said bill by amending the title, enacting clause, and intersectional references
41 accordingly.