

SECOND REGULAR SESSION

HOUSE BILL NO. 1236

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE STACY.

4082H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 67.1431, 99.825, and 99.845, RSMo, and to enact in lieu thereof three new sections relating to tax increment financing districts.

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

Section A. Sections 67.1431, 99.825, and 99.845, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 67.1431, 99.825, and 99.845, to read as follows:

67.1431. 1. Within a reasonable time, not to exceed forty-five days, after the receipt of the verified petition from the municipal clerk, the governing body shall hold or cause to be held a public hearing on the establishment of the proposed district and shall give notice of the public hearing in the manner provided in subsection 3 of this section. All reasonable protests, objections and endorsements shall be heard at the public hearing.

2. The public hearing may be continued to another date without further notice other than a motion to be entered on the minutes fixing the date, time and place of the continuance of the public hearing.

3. Notice of the public hearing shall be given by publication and mailing. Notice by publication shall be given by publication in a newspaper of general circulation within the municipality once a week for two consecutive weeks prior to the week of the public hearing. Notice by mail shall be given not less than fifteen days prior to the public hearing by sending the notice via registered or certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district. The published and mailed notices shall include the following:

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

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.

17 (2) A statement that a petition for the establishment of a district has been filed with the
18 municipal clerk;

19 (3) The boundaries of the proposed district by street location, or other readily identifiable
20 means if no street location exists; and a map illustrating the proposed boundaries;

21 (4) A statement that a copy of the petition is available for review at the office of the
22 municipal clerk during regular business hours; and

23 (5) A statement that all interested persons shall be given an opportunity to be heard at
24 the public hearing.

25 **4. In addition to a public hearing, the governing body of a city, town, or village**
26 **shall, for a thirty-day period, establish a forum for the public to comment on the proposed**
27 **district. The forum may be digital, physical, or both. Comments shall be recorded and**
28 **delivered to the governing body before the governing body votes on the proposed district.**

29 **5. A city, town, or village shall post the following information on its official internet**
30 **website accessible by the public:**

31 **(1) The boundaries of the proposed district by street location, or other readily**
32 **identifiable means if no street location exists, and a map illustrating the proposed**
33 **boundaries;**

34 **(2) The date, time, and place of the public hearing;**

35 **(3) A statement that a copy of the petition is available for review at the office of the**
36 **municipal clerk during regular business hours; and**

37 **(4) A statement that all interested persons shall be given an opportunity to be heard**
38 **at the public hearing.**

99.825. 1. **(1)** Prior to the adoption of an ordinance proposing the designation of a
2 redevelopment area, or approving a redevelopment plan or redevelopment project, the
3 commission shall fix a time and place for a public hearing as required in subsection 4 of section
4 99.820 and notify each taxing district located wholly or partially within the boundaries of the
5 proposed redevelopment area, plan or project.

6 **(2)** At the public hearing any interested person or affected taxing district may file with
7 the commission written objections to, or comments on, and may be heard orally in respect to, any
8 issues embodied in the notice. The commission shall hear and consider all protests, objections,
9 comments and other evidence presented at the hearing. The hearing may be continued to another
10 date without further notice other than a motion to be entered upon the minutes fixing the time
11 and place of the subsequent hearing; provided, if the commission is created under ~~subsection~~
12 ~~3-0f~~ section 99.820, the hearing shall not be continued for more than thirty days beyond the date
13 on which it is originally opened unless such longer period is requested by the chief elected

14 official of the municipality creating the commission and approved by a majority of the
15 commission.

16 (3) Prior to the conclusion of the hearing, changes may be made in the redevelopment
17 plan, redevelopment project, or redevelopment area, provided that each affected taxing district
18 is given written notice of such changes at least seven days prior to the conclusion of the hearing.
19 After the public hearing but prior to the adoption of an ordinance approving a redevelopment
20 plan or redevelopment project, or designating a redevelopment area, changes may be made to the
21 redevelopment plan, redevelopment projects or redevelopment areas without a further hearing,
22 if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and
23 do not substantially affect the general land uses established in the redevelopment plan or
24 substantially change the nature of the redevelopment projects, provided that notice of such
25 changes shall be given by mail to each affected taxing district and by publication in a newspaper
26 of general circulation in the area of the proposed redevelopment not less than ten days prior to
27 the adoption of the changes by ordinance.

28 (4) After the adoption of an ordinance approving a redevelopment plan or redevelopment
29 project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior
30 boundaries, affecting the general land uses established pursuant to the redevelopment plan or
31 changing the nature of the redevelopment project without complying with the procedures
32 provided in this section pertaining to the initial approval of a redevelopment plan or
33 redevelopment project and designation of a redevelopment area.

34 (5) **Within ten days of the adoption of an ordinance approving a redevelopment**
35 **plan or redevelopment project, or designating a redevelopment area, the commission**
36 **created under section 99.820 shall notify each board or body that oversees a special taxing**
37 **district that is partially or wholly located within the redevelopment area of the approval**
38 **of the ordinance.**

39 (6) Hearings with regard to a redevelopment project, redevelopment area, or
40 redevelopment plan may be held simultaneously.

41 (7) **Notwithstanding any other provision of law to the contrary, in addition to a**
42 **public hearing, the governing body of a city, town, or village shall, for a thirty-day period,**
43 **establish a forum for the public to comment on the proposed district. The forum may be**
44 **digital, physical, or both. Comments shall be recorded and delivered to the governing body**
45 **before the governing body votes on the proposed district.**

46 (8) **A city, town, or village shall post the following information on its official**
47 **internet website accessible by the public and, during the thirty-day comment period, on**
48 **conspicuous signs located throughout the redevelopment area:**

49 **(a) The boundaries of the proposed district by street location, or other readily**
50 **identifiable means if no street location exists, and a map illustrating the proposed**
51 **boundaries;**

52 **(b) The date, time, and place of the public hearing;**

53 **(c) A statement that a copy of the petition is available for review at the office of the**
54 **municipal clerk during regular business hours; and**

55 **(d) A statement that all interested persons shall be given an opportunity to be heard**
56 **at the public hearing.**

57 2. If, after concluding the hearing required under this section, the commission makes a
58 recommendation under section 99.820 in opposition to a proposed redevelopment plan,
59 redevelopment project, or designation of a redevelopment area, or any amendments thereto, a
60 municipality desiring to approve such project, plan, designation, or amendments shall do so only
61 upon a two-thirds majority vote of the governing body of such municipality. For plans, projects,
62 designations, or amendments approved by a municipality over the recommendation in opposition
63 by the commission formed under ~~subsection 3 of~~ section 99.820, the economic activity taxes
64 and payments in lieu of taxes generated by such plan, project, designation, or amendment shall
65 be restricted to paying only those redevelopment project costs contained in subparagraphs b. and
66 c. of paragraph (c) of subdivision (15) of section 99.805 per redevelopment project.

67 3. Tax incremental financing projects within an economic development area shall apply
68 to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers,
69 traffic control systems and devices, water distribution and supply systems, curbing, sidewalks
70 and any other similar public improvements, but in no case shall it include buildings.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in
2 the event a municipality has undertaken acts establishing a redevelopment plan and
3 redevelopment project and has designated a redevelopment area after the passage and approval
4 of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with
5 the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by
6 passing an ordinance providing that after the total equalized assessed valuation of the taxable real
7 property in a redevelopment project exceeds the certified total initial equalized assessed
8 valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and
9 payments in lieu of taxes, if any, arising from the levies upon taxable real property in such
10 redevelopment project by taxing districts and tax rates determined in the manner provided in
11 subsection 2 of section 99.855 each year after the effective date of the ordinance until
12 redevelopment costs have been paid shall be divided as follows:

13 (1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract,
14 or parcel of real property which is attributable to the initial equalized assessed value of each such

15 taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment
16 project shall be allocated to and, when collected, shall be paid by the county collector to the
17 respective affected taxing districts in the manner required by law in the absence of the adoption
18 of tax increment allocation financing;

19 (2) (a) Payments in lieu of taxes attributable to the increase in the current equalized
20 assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected
21 for the redevelopment project and any applicable penalty and interest over and above the initial
22 equalized assessed value of each such unit of property in the area selected for the redevelopment
23 project shall be allocated to and, when collected, shall be paid to the municipal treasurer who
24 shall deposit such payment in lieu of taxes into a special fund called the “Special Allocation
25 Fund” of the municipality for the purpose of paying redevelopment costs and obligations
26 incurred in the payment thereof. Beginning August 28, 2014, if the voters in a taxing district
27 vote to approve an increase in such taxing district’s levy rate for ad valorem tax on real property,
28 any additional revenues generated within an existing redevelopment project area that are directly
29 attributable to the newly voter-approved incremental increase in such taxing district’s levy rate
30 shall not be considered payments in lieu of taxes subject to deposit into a special allocation fund
31 without the consent of such taxing district. Revenues will be considered directly attributable to
32 the newly voter-approved incremental increase to the extent that they are generated from the
33 difference between the taxing district’s actual levy rate currently imposed and the maximum
34 voter-approved levy rate at the time that the redevelopment project was adopted. Payments in
35 lieu of taxes which are due and owing shall constitute a lien against the real estate of the
36 redevelopment project from which they are derived and shall be collected in the same manner
37 as the real property tax, including the assessment of penalties and interest where applicable. The
38 municipality may, in the ordinance, pledge the funds in the special allocation fund for the
39 payment of such costs and obligations and provide for the collection of payments in lieu of taxes,
40 the lien of which may be foreclosed in the same manner as a special assessment lien as provided
41 in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract,
42 or parcel of property in the area selected for the redevelopment project attributable to any
43 increase above the total initial equalized assessed value of such properties shall be used in
44 calculating the general state school aid formula provided for in section 163.031 until such time
45 as all redevelopment costs have been paid as provided for in this section and section 99.850.

46 (b) Notwithstanding any provisions of this section to the contrary, for purposes of
47 determining the limitation on indebtedness of local government pursuant to Article VI, Section
48 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area
49 selected for redevelopment attributable to the increase above the total initial equalized assessed

50 valuation shall be included in the value of taxable tangible property as shown on the last
51 completed assessment for state or county purposes.

52 (c) The county assessor shall include the current assessed value of all property within
53 the taxing district in the aggregate valuation of assessed property entered upon the assessor's
54 book and verified pursuant to section 137.245, and such value shall be utilized for the purpose
55 of the debt limitation on local government pursuant to Article VI, Section 26(b) of the Missouri
56 Constitution;

57 (3) For purposes of this section, "levies upon taxable real property in such
58 redevelopment project by taxing districts" shall not include the blind pension fund tax levied
59 under the authority of Article III, Section 38(b) of the Missouri Constitution, or the merchants'
60 and manufacturers' inventory replacement tax levied under the authority of subsection 2 of
61 Section 6 of Article X of the Missouri Constitution, except in redevelopment project areas in
62 which tax increment financing has been adopted by ordinance pursuant to a plan approved by
63 vote of the governing body of the municipality taken after August 13, 1982, and before January
64 1, 1998;

65 **(4) The board or body that oversees a special taxing district, as that term is defined**
66 **under section 99.805, may elect to have the property or sales taxes levied by such district**
67 **excluded from a tax increment allocation financing project or plan by passing a resolution**
68 **by two-thirds majority no later than sixty days after the project or plan is adopted or**
69 **approved by ordinance. The vote may occur before the ordinance is adopted. At least ten**
70 **days prior to the vote on the resolution, the board shall post notice of and hold a public**
71 **hearing. If the resolution passes, the board shall notify the director of revenue, the county**
72 **collector, and every other special taxing district in the redevelopment area. If the**
73 **resolution passes, subdivisions (1) and (2) of this subsection shall not apply to any tax**
74 **levied by the special taxing district, and all revenue from such tax shall be allocated to the**
75 **district and shall not be allocated to redevelopment costs and obligations; and**

76 **(5) A school board of a school district may elect to have the portion of property tax**
77 **revenue allocated to the school district by a county or municipality excluded from a tax**
78 **increment allocation financing project or plan by passing a resolution by two-thirds**
79 **majority no later than sixty days after the project or plan is adopted or approved by**
80 **ordinance. The vote may occur before the ordinance is adopted. At least ten days prior**
81 **to the vote on the resolution, the board shall post notice of and hold a public hearing. If**
82 **the resolution passes, the board shall notify the director of revenue, the county collector,**
83 **and every other special taxing district in the redevelopment area. If the resolution passes,**
84 **subdivision (2) of this subsection shall not apply to the percentage of property tax revenue**
85 **equal to the average percentage of property tax revenue allocated to the school district over**

86 **the preceding five years, and such percentage of revenue attributable to the increase in the**
87 **current equalized assessed valuation of each taxable lot, block, tract, or parcel of real**
88 **property within the redevelopment project area shall be allocated to the school district and**
89 **shall not be allocated to redevelopment costs and obligations.**

90 2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection
91 1 of this section, for redevelopment plans and projects adopted or redevelopment projects
92 approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total
93 additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing
94 districts, which are generated by economic activities within the area of the redevelopment project
95 over the amount of such taxes generated by economic activities within the area of the
96 redevelopment project in the calendar year prior to the adoption of the redevelopment project by
97 ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales
98 or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant
99 to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and
100 any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section
101 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local
102 political subdivision collecting officer to the treasurer or other designated financial officer of the
103 municipality, who shall deposit such funds in a separate segregated account within the special
104 allocation fund. Any provision of an agreement, contract or covenant entered into prior to July
105 12, 1990, between a municipality and any other political subdivision which provides for an
106 appropriation of other municipal revenues to the special allocation fund shall be and remain
107 enforceable.

108 3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection
109 1 of this section, for redevelopment plans and projects adopted or redevelopment projects
110 approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from
111 taxes, penalties and interest which are imposed by the municipality or other taxing districts, and
112 which are generated by economic activities within the area of the redevelopment project over the
113 amount of such taxes generated by economic activities within the area of the redevelopment
114 project in the calendar year prior to the adoption of the redevelopment project by ordinance,
115 while tax increment financing remains in effect, but excluding personal property taxes, taxes
116 imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels,
117 taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation
118 pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712
119 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses,
120 fees or special assessments other than payments in lieu of taxes and penalties and interest
121 thereon, any sales tax imposed by a county with a charter form of government and with more

122 than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose
123 of sports stadium improvement or levied by such county under section 238.410 for the purpose
124 of the county transit authority operating transportation facilities, or for redevelopment plans and
125 projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes
126 imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency
127 communication systems, shall be allocated to, and paid by the local political subdivision
128 collecting officer to the treasurer or other designated financial officer of the municipality, who
129 shall deposit such funds in a separate segregated account within the special allocation fund.
130 Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such
131 taxing district's sales tax or use tax, other than the renewal of an expiring sales or use tax, any
132 additional revenues generated within an existing redevelopment project area that are directly
133 attributable to the newly voter-approved incremental increase in such taxing district's levy rate
134 shall not be considered economic activity taxes subject to deposit into a special allocation fund
135 without the consent of such taxing district.

136 4. Beginning January 1, 1998, for redevelopment plans and projects adopted or
137 redevelopment projects approved by ordinance and which have complied with subsections 4 to
138 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes
139 described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues,
140 as defined in subsection 8 of this section, estimated for the businesses within the project area and
141 identified by the municipality in the application required by subsection 10 of this section, over
142 and above the amount of such taxes reported by businesses within the project area as identified
143 by the municipality in their application prior to the approval of the redevelopment project by
144 ordinance, while tax increment financing remains in effect, may be available for appropriation
145 by the general assembly as provided in subsection 10 of this section to the department of
146 economic development supplemental tax increment financing fund, from the general revenue
147 fund, for distribution to the treasurer or other designated financial officer of the municipality
148 with approved plans or projects.

149 5. The treasurer or other designated financial officer of the municipality with approved
150 plans or projects shall deposit such funds in a separate segregated account within the special
151 allocation fund established pursuant to section 99.805.

152 6. No transfer from the general revenue fund to the Missouri supplemental tax increment
153 financing fund shall be made unless an appropriation is made from the general revenue fund for
154 that purpose. No municipality shall commit any state revenues prior to an appropriation being
155 made for that project. For all redevelopment plans or projects adopted or approved after
156 December 23, 1997, appropriations from the new state revenues shall not be distributed from the
157 Missouri supplemental tax increment financing fund into the special allocation fund unless the

158 municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes
159 and fifty percent of economic activity taxes generated by the project shall be used for eligible
160 redevelopment project costs while tax increment financing remains in effect. This account shall
161 be separate from the account into which payments in lieu of taxes are deposited, and separate
162 from the account into which economic activity taxes are deposited.

163 7. In order for the redevelopment plan or project to be eligible to receive the revenue
164 described in subsection 4 of this section, the municipality shall comply with the requirements of
165 subsection 10 of this section prior to the time the project or plan is adopted or approved by
166 ordinance. The director of the department of economic development and the commissioner of
167 the office of administration may waive the requirement that the municipality's application be
168 submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's
169 or project's approval by ordinance.

170 8. For purposes of this section, "new state revenues" means:

171 (1) The incremental increase in the general revenue portion of state sales tax revenues
172 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated,
173 taxes deposited to the school district trust fund in accordance with section 144.701, sales and use
174 taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by
175 law. In no event shall the incremental increase include any amounts attributable to retail sales
176 unless the municipality or authority has proven to the Missouri development finance board and
177 the department of economic development and such entities have made a finding that the sales
178 tax increment attributable to retail sales is from new sources which did not exist in the state
179 during the baseline year. The incremental increase in the general revenue portion of state sales
180 tax revenues for an existing or relocated facility shall be the amount that current state sales tax
181 revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan
182 as provided in subsection 10 of this section; or

183 (2) The state income tax withheld on behalf of new employees by the employer pursuant
184 to section 143.221 at the business located within the project as identified by the municipality.
185 The state income tax withholding allowed by this section shall be the municipality's estimate of
186 the amount of state income tax withheld by the employer within the redevelopment area for new
187 employees who fill new jobs directly created by the tax increment financing project.

188 9. Subsection 4 of this section shall apply only to the following:

189 (1) Blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256,
190 blighted areas located in federal empowerment zones, or to blighted areas located in central
191 business districts or urban core areas of cities which districts or urban core areas at the time of
192 approval of the project by ordinance, provided that the enterprise zones, federal empowerment
193 zones or blighted areas contained one or more buildings at least fifty years old; and

194 (a) Suffered from generally declining population or property taxes over the twenty-year
195 period immediately preceding the area's designation as a project area by ordinance; or

196 (b) Was a historic hotel located in a county of the first classification without a charter
197 form of government with a population according to the most recent federal decennial census in
198 excess of one hundred fifty thousand and containing a portion of a city with a population
199 according to the most recent federal decennial census in excess of three hundred fifty thousand;

200 (2) Blighted areas consisting solely of the site of a former automobile manufacturing
201 plant located in any county with a charter form of government and with more than nine hundred
202 fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing
203 plant" means a redevelopment area containing a minimum of one hundred acres, and such
204 redevelopment area was previously used primarily for the manufacture of automobiles but ceased
205 such manufacturing after the 2007 calendar year; or

206 (3) Blighted areas consisting solely of the site of a former insurance company national
207 service center containing a minimum of one hundred acres located in any county with a charter
208 form of government and with more than nine hundred fifty thousand inhabitants.

209 10. The initial appropriation of up to fifty percent of the new state revenues authorized
210 pursuant to subsection 4 of this section shall not be made to or distributed by the department of
211 economic development to a municipality until all of the following conditions have been satisfied:

212 (1) The director of the department of economic development or his or her designee and
213 the commissioner of the office of administration or his or her designee have approved a tax
214 increment financing application made by the municipality for the appropriation of the new state
215 revenues. The municipality shall include in the application the following items in addition to the
216 items in section 99.810:

217 (a) The tax increment financing district or redevelopment area, including the businesses
218 identified within the redevelopment area;

219 (b) The base year of state sales tax revenues or the base year of state income tax withheld
220 on behalf of existing employees, reported by existing businesses within the project area prior to
221 approval of the redevelopment project;

222 (c) The estimate of the incremental increase in the general revenue portion of state sales
223 tax revenue or the estimate for the state income tax withheld by the employer on behalf of new
224 employees expected to fill new jobs created within the redevelopment area after redevelopment;

225 (d) The official statement of any bond issue pursuant to this subsection after December
226 23, 1997;

227 (e) An affidavit that is signed by the developer or developers attesting that the provisions
228 of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the

229 redevelopment area would not be reasonably anticipated to be developed without the
230 appropriation of the new state revenues;

231 (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal
232 impact on the state of Missouri;

233 (g) The statement of election between the use of the incremental increase of the general
234 revenue portion of the state sales tax revenues or the state income tax withheld by employers on
235 behalf of new employees who fill new jobs created in the redevelopment area;

236 (h) The name, street and mailing address, and phone number of the mayor or chief
237 executive officer of the municipality;

238 (i) The street address of the development site;

239 (j) The three-digit North American Industry Classification System number or numbers
240 characterizing the development project;

241 (k) The estimated development project costs;

242 (l) The anticipated sources of funds to pay such development project costs;

243 (m) Evidence of the commitments to finance such development project costs;

244 (n) The anticipated type and term of the sources of funds to pay such development
245 project costs;

246 (o) The anticipated type and terms of the obligations to be issued;

247 (p) The most recent equalized assessed valuation of the property within the development
248 project area;

249 (q) An estimate as to the equalized assessed valuation after the development project area
250 is developed in accordance with a development plan;

251 (r) The general land uses to apply in the development area;

252 (s) The total number of individuals employed in the development area, broken down by
253 full-time, part-time, and temporary positions;

254 (t) The total number of full-time equivalent positions in the development area;

255 (u) The current gross wages, state income tax withholdings, and federal income tax
256 withholdings for individuals employed in the development area;

257 (v) The total number of individuals employed in this state by the corporate parent of any
258 business benefitting from public expenditures in the development area, and all subsidiaries
259 thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time,
260 and temporary positions;

261 (w) The number of new jobs to be created by any business benefitting from public
262 expenditures in the development area, broken down by full-time, part-time, and temporary
263 positions;

- 264 (x) The average hourly wage to be paid to all current and new employees at the project
265 site, broken down by full-time, part-time, and temporary positions;
- 266 (y) For project sites located in a metropolitan statistical area, as defined by the federal
267 Office of Management and Budget, the average hourly wage paid to nonmanagerial employees
268 in this state for the industries involved at the project, as established by the United States Bureau
269 of Labor Statistics;
- 270 (z) For project sites located outside of metropolitan statistical areas, the average weekly
271 wage paid to nonmanagerial employees in the county for industries involved at the project, as
272 established by the United States Department of Commerce;
- 273 (aa) A list of other community and economic benefits to result from the project;
- 274 (bb) A list of all development subsidies that any business benefitting from public
275 expenditures in the development area has previously received for the project, and the name of
276 any other granting body from which such subsidies are sought;
- 277 (cc) A list of all other public investments made or to be made by this state or units of
278 local government to support infrastructure or other needs generated by the project for which the
279 funding pursuant to this section is being sought;
- 280 (dd) A statement as to whether the development project may reduce employment at any
281 other site, within or without the state, resulting from automation, merger, acquisition, corporate
282 restructuring, relocation, or other business activity;
- 283 (ee) A statement as to whether or not the project involves the relocation of work from
284 another address and if so, the number of jobs to be relocated and the address from which they
285 are to be relocated;
- 286 (ff) A list of competing businesses in the county containing the development area and
287 in each contiguous county;
- 288 (gg) A market study for the development area;
- 289 (hh) A certification by the chief officer of the applicant as to the accuracy of the
290 development plan;
- 291 (2) The methodologies used in the application for determining the base year and
292 determining the estimate of the incremental increase in the general revenue portion of the state
293 sales tax revenues or the state income tax withheld by employers on behalf of new employees
294 who fill new jobs created in the redevelopment area shall be approved by the director of the
295 department of economic development or his or her designee and the commissioner of the office
296 of administration or his or her designee. Upon approval of the application, the director of the
297 department of economic development or his or her designee and the commissioner of the office
298 of administration or his or her designee shall issue a certificate of approval. The department of
299 economic development may request the appropriation following application approval;

300 (3) The appropriation shall be either a portion of the estimate of the incremental increase
301 in the general revenue portion of state sales tax revenues in the redevelopment area or a portion
302 of the estimate of the state income tax withheld by the employer on behalf of new employees
303 who fill new jobs created in the redevelopment area as indicated in the municipality's
304 application, approved by the director of the department of economic development or his or her
305 designee and the commissioner of the office of administration or his or her designee. At no time
306 shall the annual amount of the new state revenues approved for disbursements from the Missouri
307 supplemental tax increment financing fund exceed thirty-two million dollars; provided, however,
308 that such thirty-two million dollar cap shall not apply to redevelopment plans or projects initially
309 listed by name in the applicable appropriations bill after August 28, 2015, which involve either:

310 (a) A former automobile manufacturing plant; or

311 (b) The retention of a federal employer employing over two thousand geospatial
312 intelligence jobs.

313

314 At no time shall the annual amount of the new state revenues for disbursements from the
315 Missouri supplemental tax increment financing fund for redevelopment plans and projects
316 eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in
317 the aggregate. At no time shall the annual amount of the new state revenues for disbursements
318 from the Missouri supplemental tax increment financing fund for redevelopment plans and
319 projects eligible under the provisions of paragraph (b) of this subdivision exceed twelve million
320 dollars in the aggregate. To the extent a redevelopment plan or project independently meets the
321 eligibility criteria set forth in both paragraphs (a) and (b) of this subdivision, then at no such time
322 shall the annual amount of new state revenues for disbursements from the Missouri supplemental
323 tax increment financing fund for such eligible redevelopment plan or project exceed twelve
324 million dollars in the aggregate;

325 (4) Redevelopment plans and projects receiving new state revenues shall have a duration
326 of up to fifteen years, unless prior approval for a longer term is given by the director of the
327 department of economic development or his or her designee and the commissioner of the office
328 of administration or his or her designee; except that, in no case shall the duration exceed
329 twenty-three years.

330 11. In addition to the areas authorized in subsection 9 of this section, the funding
331 authorized pursuant to subsection 4 of this section shall also be available in a federally approved
332 levee district, where construction of a levee begins after December 23, 1997, and which is
333 contained within a county of the first classification without a charter form of government with
334 a population between fifty thousand and one hundred thousand inhabitants which contains all
335 or part of a city with a population in excess of four hundred thousand or more inhabitants.

336 12. There is hereby established within the state treasury a special fund to be known as
337 the “Missouri Supplemental Tax Increment Financing Fund”, to be administered by the
338 department of economic development. The department shall annually distribute from the
339 Missouri supplemental tax increment financing fund the amount of the new state revenues as
340 appropriated as provided in the provisions of subsection 4 of this section if and only if the
341 conditions of subsection 10 of this section are met. The fund shall also consist of any gifts,
342 contributions, grants or bequests received from federal, private or other sources. Moneys in the
343 Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to
344 state appropriations.

345 13. Redevelopment project costs may include, at the prerogative of the state, the portion
346 of salaries and expenses of the department of economic development and the department of
347 revenue reasonably allocable to each redevelopment project approved for disbursements from
348 the Missouri supplemental tax increment financing fund for the ongoing administrative functions
349 associated with such redevelopment project. Such amounts shall be recovered from new state
350 revenues deposited into the Missouri supplemental tax increment financing fund created under
351 this section.

352 14. For redevelopment plans or projects approved by ordinance that result in net new
353 jobs from the relocation of a national headquarters from another state to the area of the
354 redevelopment project, the economic activity taxes and new state tax revenues shall not be based
355 on a calculation of the incremental increase in taxes as compared to the base year or prior
356 calendar year for such redevelopment project, rather the incremental increase shall be the amount
357 of total taxes generated from the net new jobs brought in by the national headquarters from
358 another state. In no event shall this subsection be construed to allow a redevelopment project
359 to receive an appropriation in excess of up to fifty percent of the new state revenues.

360 15. Notwithstanding any other provision of the law to the contrary, the adoption of any
361 tax increment financing authorized under sections 99.800 to 99.865 shall not supersede, alter,
362 or reduce in any way a property tax levied under section 205.971.

363 **16. No redevelopment project created after August 28, 2018, shall receive payments**
364 **in lieu of taxes or economic activity taxes after fifteen years from the date of its creation.**

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