

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND Senate Substitute for Senate Bill No. 22, Section A, Line 4, by inserting after all of said  
2 section and line the following:

3  
4 "67.1401. 1. Sections 67.1401 to 67.1571 shall be known and may be cited as the  
5 "Community Improvement District Act".

6 2. For the purposes of sections 67.1401 to 67.1571, the following words and terms mean:

7 (1) "Approval" or "approve", for purposes of elections pursuant to sections 67.1401 to  
8 67.1571, a simple majority of those qualified voters voting in the election;

9 (2) "Assessed value", the assessed value of real property as reflected on the tax records of  
10 the county clerk of the county in which the property is located, or the collector of revenue if the  
11 property is located in a city not within a county, as of the last completed assessment;

12 (3) "Blighted area", [~~an area which:~~

13 ~~—— (a) By reason of the predominance of defective or inadequate street layout, insanitary or~~  
14 ~~unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or~~  
15 ~~the existence of conditions which endanger life or property by fire and other causes, or any~~  
16 ~~combination of such factors, retards the provision of housing accommodations or constitutes an~~  
17 ~~economic or social liability or a menace to the public health, safety, morals or welfare in its present~~  
18 ~~condition and use; or~~

19 ~~—— (b) Has been declared blighted or found to be a blighted area pursuant to Missouri law~~  
20 ~~including, but not limited to, chapter 353, sections 99.800 to 99.865, or sections 99.300 to 99.715]~~  
21 ~~shall have the same meaning as provided under section 99.805;~~

22 (4) "Board", if the district is a political subdivision, the board of directors of the district, or  
23 if the district is a not-for-profit corporation, the board of directors of such corporation;

24 (5) "Director of revenue", the director of the department of revenue of the state of Missouri;

25 (6) "District", a community improvement district, established pursuant to sections 67.1401  
26 to 67.1571;

27 (7) "Election authority", the election authority having jurisdiction over the area in which the  
28 boundaries of the district are located pursuant to chapter 115;

29 (8) "Municipal clerk", the clerk of the municipality;

30 (9) "Municipality", any city, village, incorporated town, or county of this state, or in any  
31 unincorporated area that is located in any county with a charter form of government and with more  
32 than one million inhabitants;

33 (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences  
34 of indebtedness issued by a district to carry out any of its powers, duties or purposes or to refund  
35 outstanding obligations;

36 (11) "Owner", for real property, the individual or individuals or entity or entities who own a

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1 fee interest in real property that is located within the district or their legally authorized  
 2 representative; for business organizations and other entities, the owner shall be deemed to be the  
 3 individual which is legally authorized to represent the entity in regard to the district;

4 (12) "Per capita", one head count applied to each individual, entity or group of individuals  
 5 or entities having fee ownership of real property within the district whether such individual, entity  
 6 or group owns one or more parcels of real property in the district as joint tenants, tenants in  
 7 common, tenants by the entirety, tenants in partnership, except that with respect to a condominium  
 8 created under sections 448.1-101 to 448.4-120, "per capita" means one head count applied to the  
 9 applicable unit owners' association and not to each unit owner;

10 (13) "Petition", a petition to establish a district as it may be amended in accordance with the  
 11 requirements of section 67.1421;

12 (14) "Qualified voters",

13 (a) For purposes of elections for approval of real property taxes:

14 a. Registered voters; or

15 b. If no registered voters reside in the district, the owners of one or more parcels of real  
 16 property which is to be subject to such real property taxes and is located within the district per the  
 17 tax records for real property of the county clerk, or the collector of revenue if the district is located  
 18 in a city not within a county, as of the thirtieth day prior to the date of the applicable election;

19 (b) For purposes of elections for approval of business license taxes or sales taxes:

20 a. Registered voters; or

21 b. If no registered voters reside in the district, the owners of one or more parcels of real  
 22 property located within the district per the tax records for real property of the county clerk as of the  
 23 thirtieth day before the date of the applicable election; and

24 (c) For purposes of the election of directors of the board, registered voters and owners of  
 25 real property which is not exempt from assessment or levy of taxes by the district and which is  
 26 located within the district per the tax records for real property of the county clerk, or the collector of  
 27 revenue if the district is located in a city not within a county, of the thirtieth day prior to the date of  
 28 the applicable election; and

29 (15) "Registered voters", persons who reside within the district and who are qualified and  
 30 registered to vote pursuant to chapter 115, pursuant to the records of the election authority as of the  
 31 thirtieth day prior to the date of the applicable election.

32 99.020. The following terms, wherever used or referred to in sections 99.010 to 99.230,  
 33 shall have the following respective meanings unless a different meaning clearly appears from the  
 34 context:

35 (1) "Area of operation", in the case of a housing authority of a city, shall include such city;  
 36 in the case of a housing authority of a county, shall include all of the county except that portion  
 37 which lies within the territorial boundaries of any city as herein defined;

38 (2) "Authority" or "housing authority" shall mean any of the municipal corporations created  
 39 by section 99.040;

40 (3) "Blighted area" [~~shall mean any area where dwellings predominate which, by reason of~~  
 41 ~~dilapidation, overcrowding, lack of ventilation, light or sanitary facilities or any combination of~~  
 42 ~~these factors are detrimental to safety, health and morals]~~ shall have the same meaning as provided  
 43 under section 99.805;

44 (4) "Bonds" shall mean any bonds, notes, interim certificates, debentures, or other  
 45 obligations issued by the authority pursuant to this chapter;

46 (5) "City" shall mean any city, town or village in the state;

47 (6) "The city" shall mean the particular city for which a particular housing authority is  
 48 created;

49 (7) "Clerk" shall mean the clerk of the city or the clerk of the county commission, as the

1 case may be, or the officer charged with the duties customarily imposed on such clerk;

2 (8) "County" shall mean any county in the state;

3 (9) "The county" shall mean the particular county for which a particular housing authority is  
4 created;

5 (10) "Federal government" shall include the United States of America, the United States  
6 Department of Housing and Urban Development or any other agency or instrumentality, corporate  
7 or otherwise, of the United States of America;

8 (11) "Governing body" shall mean, in the case of a city, the city council, common council,  
9 board of aldermen or other legislative body of the city, and in the case of a county, the county  
10 commission or other legislative body of the county;

11 (12) "Housing project" shall mean any work or undertaking, whether in a blighted or other  
12 area:

13 (a) To demolish, clear or remove buildings. Such work or undertaking may include the  
14 adaptation of such area to public purposes, including parks or other recreation or community  
15 purposes; or

16 (b) To provide decent, safe and sanitary urban or rural dwellings, apartments or other living  
17 accommodations for persons of very low and lower income. Such work or undertaking may include  
18 buildings, land, equipment, facilities and other real or personal property for necessary, convenient or  
19 desirable appurtenances, streets, sewers, water service, site preparation, gardening, administrative,  
20 community, health, welfare or other purposes. Such work or undertaking may also include housing,  
21 for persons of moderate income, offices, stores, solar energy access, parks, and recreational and  
22 educational facilities, provided that such activities be undertaken only in conjunction with the  
23 provision of housing for persons of very low and lower income, and provided further that any profit  
24 of the authority shall be distributed as provided in subsection 3 of section 99.080; or

25 (c) To accomplish a combination of the foregoing. The term "housing project" also may be  
26 applied to the planning of the buildings and improvements, the acquisition of property; the  
27 demolition of existing structures, the construction, reconstruction, alteration and repair of the  
28 improvements and all other work in connection therewith;

29 (d) In the planning and carrying out of any housing project owned and operated by a  
30 housing authority, a housing authority shall establish procedures for allocating any training and  
31 employment opportunities which may arise from such activity to qualified persons of very low and  
32 lower income who have been unemployed for one year or more and reside within the area of  
33 operation of the housing authority;

34 (13) "Mayor" shall mean the elected mayor of the city or the elected officer thereof charged  
35 with duties customarily imposed on the mayor or executive head of the city;

36 (14) "Obligee of the authority" or "obligee" shall include any bondholder, trustee or trustees  
37 for any bondholders, or lessor demising to the authority property used in connection with a housing  
38 project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal  
39 government when it is a party to any contract with the authority;

40 (15) "Persons of very low income" means those persons or families whose annual income  
41 does not exceed fifty percent of the median income for the area. "Persons of lower income" means  
42 those persons or families whose annual income is greater than fifty but does not exceed eighty  
43 percent of the median income for the area. "Persons of moderate income" means those persons or  
44 families whose annual income is greater than eighty but does not exceed one hundred and fifty  
45 percent of the median income for the area. For purposes of this subdivision, median income for the  
46 area shall be determined in accordance with section 1437a, Title 42, United States Code, including  
47 any amendments thereto. Any and all references to "persons of low income" in this chapter shall  
48 mean persons of very low, lower or moderate income as defined herein;

49 (16) "Profit" shall mean the difference between gross revenues and necessary and ordinary

1 business expenses, including debt service, if any;

2 (17) "Real property" shall include all lands, including improvements and fixtures thereon,  
3 and property of any nature appurtenant thereto, or used in connection therewith, and every estate,  
4 interest and right, legal or equitable, therein, including terms for years and liens by way of  
5 judgment, mortgage or otherwise and the indebtedness secured by such liens.

6 99.320. As used in this law, the following terms mean:

7 (1) "Area of operation", in the case of a municipality, the area within the municipality  
8 except that the area of operation of a municipality under this law shall not include any area which  
9 lies within the territorial boundaries of another municipality unless a resolution has been adopted by  
10 the governing body of the other municipality declaring a need therefor; and in the case of a county,  
11 the area within the county, except that the area of operation in such case shall not include any area  
12 which lies within the territorial boundaries of a municipality unless a resolution has been adopted by  
13 the governing body of the municipality declaring a need therefor; and in the case of a regional  
14 authority, the area within the communities for which the regional authority is created, except that a  
15 regional authority shall not undertake a land clearance project within the territorial boundaries of  
16 any municipality unless a resolution has been adopted by the governing body of the municipality  
17 declaring that there is a need for the regional authority to undertake the land clearance project within  
18 such municipality; no authority shall operate in any area of operation in which another authority  
19 already established is undertaking or carrying out a land clearance project without the consent, by  
20 resolution, of the other authority;

21 (2) "Authority" or "land clearance for redevelopment authority", a public body corporate  
22 and politic created by or pursuant to section 99.330 or any other public body exercising the powers,  
23 rights and duties of such an authority;

24 (3) "Blighted area", ~~[an area which, by reason of the predominance of defective or~~  
25 ~~inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements,~~  
26 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~  
27 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~  
28 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~  
29 ~~health, safety, morals, or welfare in its present condition and use]~~ the same meaning as provided  
30 under section 99.805;

31 (4) "Bond", any bonds, including refunding bonds, notes, interim certificates, debentures, or  
32 other obligations issued by an authority pursuant to this law;

33 (5) "Clerk", the clerk or other official of the municipality or county who is the custodian of  
34 the official records of the municipality or county;

35 (6) "Community", any county or municipality except that such term shall not include any  
36 municipality containing less than seventy-five thousand inhabitants until the governing body thereof  
37 shall have submitted the proposition of accepting the provisions of this law to the qualified voters  
38 therein at an election called and held as provided by law for the incurring of indebtedness by such  
39 municipality, and a majority of the voters voting at the election shall have voted in favor of such  
40 proposition;

41 (7) "Federal government", the United States of America or any agency or instrumentality,  
42 corporate or otherwise, of the United States of America;

43 (8) "Governing body", the city council, common council, board of aldermen or other  
44 legislative body charged with governing the municipality or the county commission or other  
45 legislative body charged with governing the county;

46 (9) "Insanitary area", an area in which there is a predominance of buildings and  
47 improvements which, by reason of dilapidation, deterioration, age or obsolescence, inadequate  
48 provision for ventilation, light, air sanitation or open spaces, high density of population and  
49 overcrowding of buildings, overcrowding of land, or the existence of conditions which endanger life

1 or property by fire and other causes, or any combination of such factors, is conducive to ill health,  
2 transmission of disease, infant mortality, juvenile delinquency and crime or constitutes an economic  
3 or social liability and is detrimental to the public health, safety, morals, or welfare;

4 (10) "Land clearance project", any work or undertaking:

5 (a) To acquire blighted, or insanitary areas or portions thereof, including lands, structures, or  
6 improvements the acquisition of which is necessary or incidental to the proper clearance,  
7 development or redevelopment of the blighted or insanitary areas or to the prevention of the spread  
8 or recurrence of substandard or insanitary conditions or conditions of blight;

9 (b) To clear any such areas by demolition or removal of existing buildings, structures,  
10 streets, utilities or other improvements thereon and to install, construct or reconstruct streets,  
11 utilities, and site improvements essential to the preparation of sites for uses in accordance with a  
12 redevelopment plan;

13 (c) To sell, lease or otherwise make available land in such areas for residential, recreational,  
14 commercial, industrial or other use or for public use or to retain such land for public use, in  
15 accordance with a redevelopment plan;

16 (d) To develop, construct, reconstruct, rehabilitate, repair or improve residences, houses,  
17 buildings, structures and other facilities;

18 (e) The term "land clearance project" may also include the preparation of a redevelopment  
19 plan, the planning, survey and other work incident to a land clearance project and the preparation of  
20 all plans and arrangements for carrying out a land clearance project and wherever the words "land  
21 clearance project" are used in this law, they shall also mean and include the words "urban renewal  
22 project" as defined in this section;

23 (11) "Mayor", the elected mayor of the city or the elected officer having the duties  
24 customarily imposed upon the mayor of the city or the executive head of a county;

25 (12) "Municipality", any incorporated city, town or village in the state;

26 (13) "Obligee", any bondholders, agents or trustees for any bondholders, lessor demising to  
27 the authority property used in connection with land clearance project, or any assignee or assignees  
28 of the lessor's interest or any part thereof, and the federal government when it is a party to any  
29 contract with the authority;

30 (14) "Person", any individual, firm, partnership, corporation, company, association, joint  
31 stock association, or body politic; and shall include any trustee, receiver, assignee, or other similar  
32 representative thereof;

33 (15) "Public body", the state or any municipality, county, township, board, commission,  
34 authority, district, or any other subdivision of the state;

35 (16) "Real property", all lands, including improvements and fixtures thereon, and property  
36 of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and  
37 right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage  
38 or otherwise and the indebtedness secured by such liens;

39 (17) "Redeveloper", any person, partnership, or public or private corporation or agency  
40 which enters or proposes to enter into a redevelopment or rehabilitation or renewal contract;

41 (18) "Redevelopment contract", a contract entered into between an authority and  
42 redeveloper for the redevelopment, rehabilitation or renewal of an area in conformity with a  
43 redevelopment plan or an urban renewal plan;

44 (19) "Redevelopment", the process of undertaking and carrying out a redevelopment plan or  
45 urban renewal plan;

46 (20) "Redevelopment plan", a plan other than a preliminary or tentative plan for the  
47 acquisition, clearance, reconstruction, rehabilitation, renewal or future use of a land clearance  
48 project area, and shall be sufficiently complete to comply with subdivision (4) of section 99.430 and  
49 shall be in compliance with a "workable program" for the city as a whole and wherever used in

1 sections 99.300 to 99.660 the words "redevelopment plan" shall also mean and include "urban  
2 renewal plan" as defined in this section;

3 (21) "Urban renewal plan", a plan as it exists from time to time, for an urban renewal  
4 project, which plan shall conform to the general plan for the municipality as a whole; and shall be  
5 sufficiently complete to indicate such land acquisition, demolition and removal of structures,  
6 redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the area of  
7 the urban renewal project, zoning and planning changes, if any, land uses, maximum densities,  
8 building requirements, and the relationship of the plan to definite local objectives respecting  
9 appropriate land uses, improved traffic, public transportation, public utilities, recreational and  
10 community facilities, and other public improvements; an urban renewal plan shall be prepared and  
11 approved pursuant to the same procedure as provided with respect to a redevelopment plan;

12 (22) "Urban renewal project", any surveys, plans, undertakings and activities for the  
13 elimination and for the prevention of the spread or development of insanitary, blighted, deteriorated  
14 or deteriorating areas and may involve any work or undertaking for such purpose constituting a land  
15 clearance project or any rehabilitation or conservation work, or any combination of such  
16 undertaking or work in accordance with an urban renewal project; for this purpose, "rehabilitation or  
17 conservation work" may include:

18 (a) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of  
19 buildings or other improvements;

20 (b) Acquisition of real property and demolition, removal or rehabilitation of buildings and  
21 improvements thereon where necessary to eliminate unhealthful, insanitary or unsafe conditions,  
22 lessen density, eliminate uneconomic, obsolete or other uses detrimental to the public welfare, or to  
23 otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed  
24 public facilities;

25 (c) To develop, construct, reconstruct, rehabilitate, repair or improve residences, houses,  
26 buildings, structures and other facilities;

27 (d) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and  
28 other improvements necessary for carrying out the objectives of the urban renewal project; and

29 (e) The disposition, for uses in accordance with the objectives of the urban renewal project,  
30 of any property or part thereof acquired in the area of the project; but such disposition shall be in the  
31 manner prescribed in this law for the disposition of property in a land clearance project area;

32 (23) "Workable program", an official plan of action, as it exists from time to time, for  
33 effectively dealing with the problem in insanitary, blighted, deteriorated or deteriorating areas within  
34 the community and for the establishment and preservation of a well-planned community with well-  
35 organized residential neighborhoods of decent homes and suitable living environment for adequate  
36 family life, for utilizing appropriate private and public resources to eliminate and prevent the  
37 development or spread of insanitary, blighted, deteriorated or deteriorating areas, to encourage  
38 needed urban rehabilitation, to provide for the redevelopment of blighted, insanitary, deteriorated  
39 and deteriorating areas, or to undertake such of the aforesaid activities or other feasible community  
40 activities as may be suitably employed to achieve the objectives of such a program."; and

41  
42 Further amend said bill and page, Section 99.805, Line 5, by deleting all of the said line and  
43 inserting in lieu thereof the following:

44  
45 "predominance of [~~defective or inadequate street layout,~~]"; and

46  
47 Further amend said bill, page, and section, Line 13, by inserting after the word "use" the following:

48  
49 ", and, for an area located in a city not within a county, which is located in a census tract that

1 is defined as a "low-income community" under 26 U.S.C. Section 45D or is eligible to be designated  
 2 as a "qualified opportunity zone" under 26 U.S.C. Section 1400Z-1"; and

3  
 4 Further amend said bill, Page 26, Section 99.848, Line 59, by inserting after all of said section and  
 5 line the following:

6  
 7 "99.918. As used in sections 99.915 to 99.980, unless the context clearly requires otherwise,  
 8 the following terms shall mean:

9 (1) "Authority", the downtown economic stimulus authority for a municipality, created  
 10 pursuant to section 99.921;

11 (2) "Baseline year", the calendar year prior to the adoption of an ordinance by the  
 12 municipality approving a development project; provided, however, if economic activity taxes or  
 13 state sales tax revenues, from businesses other than any out-of-state business or businesses locating  
 14 in the development project area, decrease in the development project area in the year following the  
 15 year in which the ordinance approving a development project is approved by a municipality, the  
 16 baseline year may, at the option of the municipality approving the development project, be the year  
 17 following the year of the adoption of the ordinance approving the development project. When a  
 18 development project area is located within a county for which public and individual assistance has  
 19 been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and  
 20 Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor  
 21 pursuant to section 44.100 due to a natural disaster of major proportions that occurred after May 1,  
 22 2003, but prior to May 10, 2003, and the development project area is a central business district that  
 23 sustained severe damage as a result of such natural disaster, as determined by the state emergency  
 24 management agency, the baseline year may, at the option of the municipality approving the  
 25 development project, be the calendar year in which the natural disaster occurred or the year  
 26 following the year in which the natural disaster occurred, provided that the municipality adopts an  
 27 ordinance approving the development project within one year after the occurrence of the natural  
 28 disaster;

29 (3) "Blighted area", ~~[an area which, by reason of the predominance of defective or~~  
 30 ~~inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements,~~  
 31 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~  
 32 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~  
 33 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~  
 34 ~~health, safety, morals, or welfare in its present condition and use]~~ the same meaning as provided  
 35 under section 99.805;

36 (4) "Central business district", the area at or near the historic core that is locally known as  
 37 the "downtown" of a municipality that has a median household income of sixty-two thousand dollars  
 38 or less, according to the United States Census Bureau's American Community Survey, based on the  
 39 most recent of five-year period estimate data in which the final year of the estimate ends in either  
 40 zero or five. In addition, at least fifty percent of existing buildings in this area will have been built  
 41 in excess of thirty-five years prior or vacant lots that had prior structures built in excess of thirty-  
 42 five years prior to the adoption of the ordinance approving the redevelopment plan. The historical  
 43 land use emphasis of a central business district prior to redevelopment will have been a mixed use of  
 44 business, commercial, financial, transportation, government, and multifamily residential uses;

45 (5) "Collecting officer", the officer of the municipality responsible for receiving and  
 46 processing payments in lieu of taxes, economic activity taxes other than economic activity taxes  
 47 which are local sales taxes, and other local taxes other than local sales taxes, and, for local sales  
 48 taxes and state taxes, the director of revenue;

49 (6) "Conservation area", any improved area within the boundaries of a redevelopment area

1 located within the territorial limits of a municipality in which fifty percent or more of the structures  
2 in the area have an age of thirty-five years or more, and such an area is not yet a blighted area but is  
3 detrimental to the public health, safety, morals, or welfare and may become a blighted area because  
4 of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of  
5 individual structures; presence of structures below minimum code standards; abandonment;  
6 excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light  
7 or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout;  
8 depreciation of physical maintenance; and lack of community planning;

9 (7) "Development area", an area designated by a municipality in respect to which the  
10 municipality has made a finding that there exist conditions which cause the area to be classified as a  
11 blighted area or a conservation area, which area shall have the following characteristics:

12 (a) It includes only those parcels of real property directly and substantially benefitted by the  
13 proposed development plan;

14 (b) It can be renovated through one or more development projects;

15 (c) It is located in the central business district;

16 (d) It has generally suffered from declining population or property taxes for the twenty-year  
17 period immediately preceding the area's designation as a development area or has structures in the  
18 area fifty percent or more of which have an age of thirty-five years or more;

19 (e) It is contiguous, provided, however that a development area may include up to three  
20 noncontiguous areas selected for development projects, provided that each noncontiguous area  
21 meets the requirements of paragraphs (a) to (g) herein;

22 (f) The development area shall not exceed ten percent of the entire area of the municipality;  
23 and

24 (g) The development area shall not include any property that is located within the one  
25 hundred year flood plain, as designated by the Federal Emergency Management Agency flood  
26 delineation maps, unless such property is protected by a structure that is inspected and certified by  
27 the United States Army Corps of Engineers. This subdivision shall not apply to property within the  
28 one hundred year flood plain if the buildings on the property have been or will be flood proofed in  
29 accordance with the Federal Emergency Management Agency's standards for flood proofing and the  
30 property is located in a home rule city with more than one hundred fifty-one thousand five hundred  
31 but fewer than one hundred fifty-one thousand six hundred inhabitants. Only those buildings  
32 certified as being flood proofed in accordance with the Federal Emergency Management Agency's  
33 standards for flood proofing by the authority shall be eligible for the state sales tax increment and  
34 the state income tax increment. Subject to the limitation set forth in this subdivision, the  
35 development area can be enlarged or modified as provided in section 99.951;

36 (8) "Development plan", the comprehensive program of a municipality to reduce or  
37 eliminate those conditions which qualified a development area as a blighted area or a conservation  
38 area, and to thereby enhance the tax bases of the taxing districts which extend into the development  
39 area through the reimbursement, payment, or other financing of development project costs in  
40 accordance with sections 99.915 to 99.980 and through the exercise of the powers set forth in  
41 sections 99.915 to 99.980. The development plan shall conform to the requirements of section  
42 99.942;

43 (9) "Development project", any development project within a development area which  
44 constitutes a major initiative in furtherance of the objectives of the development plan, and any such  
45 development project shall include a legal description of the area selected for such development  
46 project;

47 (10) "Development project area", the area located within a development area selected for a  
48 development project;

49 (11) "Development project costs" include such costs to the development plan or a



1 development project, as applicable, which are expended on public property, buildings, or rights-of-  
 2 ways for public purposes to provide infrastructure to support a development project. Such costs  
 3 shall only be allowed as an initial expense which, to be recoverable, must be included in the costs of  
 4 a development plan or development project, except in circumstances of plan amendments approved  
 5 by the Missouri development finance board and the department of economic development. Such  
 6 infrastructure costs include, but are not limited to, the following:

7 (a) Costs of studies, appraisals, surveys, plans, and specifications;

8 (b) Professional service costs, including, but not limited to, architectural, engineering, legal,  
 9 marketing, financial, planning, or special services;

10 (c) Property assembly costs, including, but not limited to, acquisition of land and other  
 11 property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and  
 12 grading of land;

13 (d) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public buildings  
 14 and fixtures;

15 (e) Costs of construction of public works or improvements;

16 (f) Financing costs, including, but not limited to, all necessary expenses related to the  
 17 issuance of obligations issued to finance all or any portion of the infrastructure costs of one or more  
 18 development projects, and which may include capitalized interest on any such obligations and  
 19 reasonable reserves related to any such obligations;

20 (g) All or a portion of a taxing district's capital costs resulting from any development project  
 21 necessarily incurred or to be incurred in furtherance of the objectives of the development plan, to the  
 22 extent the municipality by written agreement accepts and approves such infrastructure costs;

23 (h) Payments to taxing districts on a pro rata basis to partially reimburse taxes diverted by  
 24 approval of a development project;

25 (i) State government costs, including, but not limited to, the reasonable costs incurred by the  
 26 department of economic development, the department of revenue and the office of administration in  
 27 evaluating an application for and administering state supplemental downtown development  
 28 financing for a development project; and

29 (j) Endowment of positions at an institution of higher education which has a designation as a  
 30 Carnegie Research I University including any campus of such university system, subject to the  
 31 provisions of section 99.958. In addition, economic activity taxes and payment in lieu of taxes may  
 32 be expended on or used to reimburse any reasonable or necessary costs incurred or estimated to be  
 33 incurred in furtherance of a development plan or a development project;

34 (12) "Economic activity taxes", the total additional revenue from taxes which are imposed  
 35 by the municipality and other taxing districts, and which are generated by economic activities within  
 36 each development project area, which are not related to the relocation of any out-of-state business  
 37 into the development project area, which exceed the amount of such taxes generated by economic  
 38 activities within such development project area in the baseline year plus, in development project  
 39 areas where the baseline year is the year following the year in which the development project is  
 40 approved by the municipality pursuant to subdivision (2) of this section, the total revenue from taxes  
 41 which are imposed by the municipality and other taxing districts which is generated by economic  
 42 activities within the development project area resulting from the relocation of an out-of-state  
 43 business or out-of-state businesses to the development project area pursuant to section 99.919; but  
 44 excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by  
 45 transient guests of hotels and motels, licenses, fees, or special assessments. If a retail establishment  
 46 relocates within one year from one facility to another facility within the same county and the  
 47 municipality or authority finds that the retail establishment is a direct beneficiary of development  
 48 financing, then for purposes of this definition, the economic activity taxes generated by the retail  
 49 establishment shall equal the total additional revenues from taxes which are imposed by the

1 municipality and other taxing districts which are generated by the economic activities within the  
2 development project area which exceed the amount of taxes which are imposed by the municipality  
3 and other taxing districts which are generated by economic activities within the development project  
4 area generated by the retail establishment in the baseline year;

5 (13) "Gambling establishment", an excursion gambling boat as defined in section 313.800  
6 and any related business facility including any real property improvements which are directly and  
7 solely related to such business facility, whose sole purpose is to provide goods or services to an  
8 excursion gambling boat and whose majority ownership interest is held by a person licensed to  
9 conduct gambling games on an excursion gambling boat or licensed to operate an excursion  
10 gambling boat as provided in sections 313.800 to 313.850;

11 (14) "Major initiative", a development project within a central business district that:

12 (a) Promotes tourism, cultural activities, arts, entertainment, education, research, arenas,  
13 multipurpose facilities, libraries, ports, mass transit, museums, or conventions, the estimated cost of  
14 which is in excess of the amount set forth below for the municipality, as applicable; or

15 (b) Promotes business location or expansion, the estimated cost of which is in excess of the  
16 amount set forth below for the municipality, and is estimated to create at least as many new jobs as  
17 set forth below within three years of such location or expansion:

Population of Municipality	Estimated Project Cost	New Jobs Created
300,000 or more	\$10,000,000	at least 100
100,000 to 299,999	\$5,000,000	at least 50
50,001 to 99,999	\$1,000,000	at least 10
50,000 or less	\$500,000	at least 5;

18 (15) "Municipality", any city, village, incorporated town, or any county of this state  
19 established on or prior to January 1, 2001, or a census-designated place in any county designated by  
20 the county for purposes of sections 99.915 to 99.1060;

21 (16) "New job", any job defined as a new job pursuant to subdivision (11) of section  
22 100.710;

23 (17) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences  
24 of indebtedness issued by the municipality or authority, or other public entity authorized to issue  
25 such obligations pursuant to sections 99.915 to 99.980 to carry out a development project or to  
26 refund outstanding obligations;

27 (18) "Ordinance", an ordinance enacted by the governing body of any municipality or an  
28 order of the governing body of such a municipal entity whose governing body is not authorized to  
29 enact ordinances;

30 (19) "Other net new revenues", the amount of state sales tax increment or state income tax  
31 increment or the combination of the amount of each such increment as determined under section  
32 99.960;

33 (20) "Out-of-state business", a business entity or operation that has been located outside of  
34 the state of Missouri prior to the time it relocates to a development project area;

35 (21) "Payment in lieu of taxes", those revenues from real property in each development  
36 project area, which taxing districts would have received had the municipality not adopted a  
37 development plan and the municipality not adopted development financing, and which would result  
38 from levies made after the time of the adoption of development financing during the time the current  
39 equalized value of real property in such development project area exceeds the total equalized value  
40 of real property in such development project area during the baseline year until development  
41

1 financing for such development project area expires or is terminated pursuant to sections 99.915 to  
2 99.980;

3 (22) "Special allocation fund", the fund of the municipality or its authority required to be  
4 established pursuant to section 99.957 which special allocation fund shall contain at least four  
5 separate segregated accounts into which payments in lieu of taxes are deposited in one account,  
6 economic activity taxes are deposited in a second account, other net new revenues are deposited in a  
7 third account, and other revenues, if any, received by the authority or the municipality for the  
8 purpose of implementing a development plan or a development project are deposited in a fourth  
9 account;

10 (23) "State income tax increment", up to fifty percent of the estimate of the income tax due  
11 the state for salaries or wages paid to new employees in new jobs at a business located in the  
12 development project area and created by the development project. The estimate shall be a  
13 percentage of the gross payroll which percentage shall be based upon an analysis by the department  
14 of revenue of the practical tax rate on gross payroll as a factor in overall taxable income;

15 (24) "State sales tax increment", up to one-half of the incremental increase in the state sales  
16 tax revenue in the development project area. In no event shall the incremental increase include any  
17 amounts attributable to retail sales unless the Missouri development finance board and the  
18 department of economic development are satisfied based on information provided by the  
19 municipality or authority, and such entities have made a finding that a substantial portion of all but a  
20 de minimus portion of the sales tax increment attributable to retail sales is from new sources which  
21 did not exist in the state during the baseline year. The incremental increase for an existing facility  
22 shall be the amount by which the state sales tax revenue generated at the facility exceeds the state  
23 sales tax revenue generated at the facility in the baseline year. The incremental increase in  
24 development project areas where the baseline year is the year following the year in which the  
25 development project is approved by the municipality pursuant to subdivision (2) of this section shall  
26 be the state sales tax revenue generated by out-of-state businesses relocating into a development  
27 project area. The incremental increase for a Missouri facility which relocates to a development  
28 project area shall be the amount by which the state sales tax revenue of the facility exceeds the state  
29 sales tax revenue for the facility in the calendar year prior to relocation;

30 (25) "State sales tax revenues", the general revenue portion of state sales tax revenues  
31 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes  
32 deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on  
33 motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law;

34 (26) "Taxing district's capital costs", those costs of taxing districts for capital improvements  
35 that are found by the municipal governing bodies to be necessary and to directly result from a  
36 development project; and

37 (27) "Taxing districts", any political subdivision of this state having the power to levy taxes.  
38 99.1082. As used in sections 99.1080 to 99.1092, unless the context clearly requires  
39 otherwise, the following terms shall mean:

40 (1) "Baseline year", the calendar year prior to the adoption of an ordinance by the  
41 municipality approving a redevelopment project; provided, however, if local sales tax revenues or  
42 state sales tax revenues, from businesses other than any out-of-state business or businesses locating  
43 in the redevelopment project area, decrease in the redevelopment project area in the year following  
44 the year in which the ordinance approving a redevelopment project is approved by a municipality,  
45 the baseline year may, at the option of the municipality approving the redevelopment project, be the  
46 year following the year of the adoption of the ordinance approving the redevelopment project.  
47 When a redevelopment project area is located within a county for which public and individual  
48 assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster  
49 Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the

1 governor under section 44.100 due to a natural disaster of major proportions and the redevelopment  
 2 project area is a central business district that sustained severe damage as a result of such natural  
 3 disaster, as determined by the state emergency management agency, the baseline year may, at the  
 4 option of the municipality approving the redevelopment project, be the calendar year in which the  
 5 natural disaster occurred or the year following the year in which the natural disaster occurred,  
 6 provided that the municipality adopts an ordinance approving the redevelopment project within one  
 7 year after the occurrence of the natural disaster;

8 (2) "Blighted area", [~~an area which, by reason of the predominance of defective or~~  
 9 ~~inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements,~~  
 10 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~  
 11 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~  
 12 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~  
 13 ~~health, safety, morals, or welfare in its present condition and use]~~ the same meaning as provided  
 14 under section 99.805;

15 (3) "Central business district", the area at or near the historic core that is locally known as  
 16 the "downtown" of a municipality that has a median household income of sixty-two thousand dollars  
 17 or less, according to the United States Census Bureau's American Community Survey, based on the  
 18 most recent of five-year period estimate data in which the final year of the estimate ends in either  
 19 zero or five. In addition, at least fifty percent of existing buildings in this area will have been built  
 20 in excess of thirty-five years prior or vacant lots that had prior structures built in excess of thirty-  
 21 five years prior to the adoption of the ordinance approving the redevelopment plan. The historical  
 22 land use emphasis of a central business district prior to redevelopment will have been a mixed use of  
 23 business, commercial, financial, transportation, government, and multifamily residential uses;

24 (4) "Conservation area", any improved area within the boundaries of a redevelopment area  
 25 located within the territorial limits of a municipality in which fifty percent or more of the structures  
 26 in the area have an age of thirty-five years or more, and such an area is not yet a blighted area but is  
 27 detrimental to the public health, safety, morals, or welfare and may become a blighted area because  
 28 of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of  
 29 individual structures; presence of structures below minimum code standards; abandonment;  
 30 excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light  
 31 or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout;  
 32 depreciation of physical maintenance; and lack of community planning;

33 (5) "Gambling establishment", an excursion gambling boat as defined in section 313.800  
 34 and any related business facility including any real property improvements which are directly and  
 35 solely related to such business facility, whose sole purpose is to provide goods or services to an  
 36 excursion gambling boat and whose majority ownership interest is held by a person licensed to  
 37 conduct gambling games on an excursion gambling boat or licensed to operate an excursion  
 38 gambling boat as provided in sections 313.800 to 313.850;

39 (6) "Local sales tax increment", at least fifty percent of the local sales tax revenue from  
 40 taxes that are imposed by a municipality and its county, and that are generated by economic  
 41 activities within a redevelopment area over the amount of such taxes generated by economic  
 42 activities within such a redevelopment area in the calendar year prior to the adoption of the  
 43 ordinance designating such a redevelopment area while financing under sections 99.1080 to 99.1092  
 44 remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for  
 45 sleeping rooms paid by transient guests of hotels and motels, licenses, fees, or special assessments;  
 46 provided however, the governing body of any county may, by resolution, exclude any portion of any  
 47 countywide sales tax of such county. For redevelopment projects or redevelopment plans approved  
 48 after August 28, 2005, if a retail establishment relocates within one year from one facility within the  
 49 same county and the governing body of the municipality finds that the retail establishment is a direct

1 beneficiary of tax increment financing, then for the purposes of this subdivision, the economic  
2 activity taxes generated by the retail establishment shall equal the total additional revenues from  
3 economic activity taxes that are imposed by a municipality or other taxing district over the amount  
4 of economic activity taxes generated by the retail establishment in the calendar year prior to its  
5 relocation to the redevelopment area;

6 (7) "Local sales tax revenue", city sales tax revenues received under sections 94.500 to  
7 94.550 and county sales tax revenues received under sections 67.500 to 67.594;

8 (8) "Major initiative", a development project within a central business district which  
9 promotes tourism, cultural activities, arts, entertainment, education, research, arenas, multipurpose  
10 facilities, libraries, ports, mass transit, museums, economic development, or conventions for the  
11 municipality, and where the capital investment within the redevelopment project area is:

12 (a) At least five million dollars for a project area within a city having a population of one  
13 hundred thousand to one hundred ninety-nine thousand nine hundred and ninety-nine inhabitants;

14 (b) At least one million dollars for a project area within a city having a population of fifty  
15 thousand to ninety-nine thousand nine hundred and ninety-nine inhabitants;

16 (c) At least five hundred thousand dollars for a project area within a city having a  
17 population of ten thousand to forty-nine thousand nine hundred and ninety-nine inhabitants; or

18 (d) At least two hundred fifty thousand dollars for a project area within a city having a  
19 population of one to nine thousand nine hundred and ninety-nine inhabitants;

20 (9) "Municipality", any city or county of this state having fewer than two hundred thousand  
21 inhabitants;

22 (10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences  
23 of indebtedness issued by the municipality or authority, or other public entity authorized to issue  
24 such obligations under sections 99.1080 to 99.1092 to carry out a redevelopment project or to refund  
25 outstanding obligations;

26 (11) "Ordinance", an ordinance enacted by the governing body of any municipality;

27 (12) "Redevelopment area", an area designated by a municipality in respect to which the  
28 municipality has made a finding that there exist conditions which cause the area to be classified as a  
29 blighted area or a conservation area, which area shall have the following characteristics:

30 (a) It can be renovated through one or more redevelopment projects;

31 (b) It is located in the central business district;

32 (c) The redevelopment area shall not exceed ten percent of the entire geographic area of the  
33 municipality. Subject to the limitation set forth in this subdivision, the redevelopment area can be  
34 enlarged or modified as provided in section 99.1088;

35 (13) "Redevelopment plan", the comprehensive program of a municipality to reduce or  
36 eliminate those conditions which qualify a redevelopment area as a blighted area or a conservation  
37 area, and to thereby enhance the tax bases of the taxing districts which extend into the  
38 redevelopment area through the reimbursement, payment, or other financing of redevelopment  
39 project costs in accordance with sections 99.1080 to 99.1092 and through application for and  
40 administration of downtown revitalization preservation program financing under sections 99.1080 to  
41 99.1092;

42 (14) "Redevelopment project", any redevelopment project within a redevelopment area  
43 which constitutes a major initiative in furtherance of the objectives of the redevelopment plan, and  
44 any such redevelopment project shall include a legal description of the area selected for such  
45 redevelopment project;

46 (15) "Redevelopment project area", the area located within a redevelopment area selected  
47 for a redevelopment project;

48 (16) "Redevelopment project costs" include such costs to the redevelopment plan or a  
49 redevelopment project, as applicable, which are expended on public property, buildings, or rights-of-

1 way for public purposes to provide infrastructure to support a redevelopment project, including  
 2 facades. Such costs shall only be allowed as an initial expense which, to be recoverable, must be  
 3 included in the costs of a redevelopment plan or redevelopment project, except in circumstances of  
 4 plan amendments approved by the department of economic development. Such infrastructure costs  
 5 include, but are not limited to, the following:

6 (a) Costs of studies, appraisals, surveys, plans, and specifications;

7 (b) Professional service costs, including, but not limited to, architectural, engineering, legal,  
 8 marketing, financial, planning, or special services;

9 (c) Property assembly costs, including, but not limited to, acquisition of land and other  
 10 property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and  
 11 grading of land;

12 (d) Costs of rehabilitation, reconstruction, repair, or remodeling of existing public buildings  
 13 and fixtures;

14 (e) Costs of construction of public works or improvements;

15 (f) Financing costs, including, but not limited to, all necessary expenses related to the  
 16 issuance of obligations issued to finance all or any portion of the infrastructure costs of one or more  
 17 redevelopment projects, and which may include capitalized interest on any such obligations and  
 18 reasonable reserves related to any such obligations;

19 (g) All or a portion of a taxing district's capital costs resulting from any redevelopment  
 20 project necessarily incurred or to be incurred in furtherance of the objectives of the redevelopment  
 21 plan, to the extent the municipality by written agreement accepts and approves such infrastructure  
 22 costs;

23 (h) Payments to taxing districts on a pro rata basis to partially reimburse taxes diverted by  
 24 approval of a redevelopment project when all debt is retired;

25 (i) State government costs, including, but not limited to, the reasonable costs incurred by the  
 26 department of economic development and the department of revenue in evaluating an application for  
 27 and administering downtown revitalization preservation financing for a redevelopment project;

28 (17) "State sales tax increment", up to one-half of the incremental increase in the state sales  
 29 tax revenue in the redevelopment project area provided the local taxing jurisdictions commit one-  
 30 half of their local sales tax to paying for redevelopment project costs. The incremental increase  
 31 shall be the amount by which the state sales tax revenue generated at the facility or within the  
 32 redevelopment project area exceeds the state sales tax revenue generated at the facility or within the  
 33 redevelopment project area in the baseline year. For redevelopment projects or redevelopment plans  
 34 approved after August 28, 2005, if a retail establishment relocates within one year from one facility  
 35 to another facility within the same county and the governing body of the municipality finds that the  
 36 retail establishment is a direct beneficiary of tax increment financing, then for the purposes of this  
 37 subdivision, the economic activity taxes generated by the retail establishment shall equal the total  
 38 additional revenues from economic activity taxes that are imposed by a municipality or other taxing  
 39 district over the amount of economic activity taxes generated by the retail establishment in the  
 40 calendar year prior to the relocation to the redevelopment area;

41 (18) "State sales tax revenues", the general revenue portion of state sales tax revenues  
 42 received under section 144.020, excluding sales taxes that are constitutionally dedicated, taxes  
 43 deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on  
 44 motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law;

45 (19) "Taxing district's capital costs", those costs of taxing districts for capital improvements  
 46 that are found by the municipal governing bodies to be necessary and to directly result from a  
 47 redevelopment project;

48 (20) "Taxing districts", any political subdivision of this state having the power to levy taxes.  
 49 100.310. As used in this law, the following words and terms mean:

1 (1) "Authority", a public body corporate and politic created by or pursuant to sections of this  
2 law or any other public body exercising the powers, rights and duties of such an authority;

3 (2) "Blighted area", ~~[an area which, by reason of the predominance of defective or~~  
4 ~~inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements,~~  
5 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~  
6 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~  
7 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~  
8 ~~health, safety, morals or welfare in its present condition and use]~~ the same meaning as provided  
9 under section 99.805;

10 (3) "Bond", any bonds, including refunding bonds, notes, interim certificates, debentures or  
11 other obligations issued by an authority pursuant to this law;

12 (4) "City", all cities of this state now having or which hereafter have four hundred thousand  
13 inhabitants or more according to the last decennial census of the United States or any city that has  
14 adopted a home rule charter pursuant to Section 19 of Article VI of the Missouri Constitution;

15 (5) "Clerk", the official custodian of records of the city;

16 (6) "Federal government", the United States of America or any agency or instrumentality  
17 corporate or otherwise of the United States of America;

18 (7) "Governing body", the city council, common council, board of aldermen or other  
19 legislative body charged with governing the municipality;

20 (8) "Industrial developer", any person, partnership or public or private corporation or  
21 agency which enters or proposes to enter into an industrial development contract;

22 (9) "Industrial development", the acquisition, clearance, grading, improving, preparing of  
23 land for industrial and commercial development and use and the construction, reconstruction,  
24 purchase, repair of industrial and commercial improvements, buildings, plants, additions, stores,  
25 shops, shopping centers, office buildings, hotels and motels and parking garages, multi-family  
26 housing facilities, warehouses, distribution centers, machines, fixtures, structures and other facilities  
27 relating to industrial and commercial use in blighted, insanitary or undeveloped industrial areas; and  
28 the existing merchants, residents, and present businesses shall have the first option to redevelop the  
29 area under this act;

30 (10) "Industrial development contract", a contract entered into between an authority and an  
31 industrial developer for the industrial development of an area in conformity with a plan;

32 (11) "Insanitary area", an area in which there is a predominance of buildings and  
33 improvements which, by reason of dilapidation, deterioration, age or obsolescence, inadequate  
34 provision for ventilation, light, air, sanitation or open spaces, high density of population and  
35 overcrowding of buildings, overcrowding of land, or the existence of conditions which endanger life  
36 or property by fire and other causes, or any combination of such factors, is conducive to ill health,  
37 transmission of disease, infant mortality, juvenile delinquency and crime or constitutes an economic  
38 or social liability and is detrimental to the public health, safety, morals or welfare;

39 (12) "Obligee", any bondholders, agents or trustees for any bondholders, lessor demising to  
40 the authority property used in connection with industrial clearance project, or any assignee or  
41 assignees of the lessor's interest or any part thereof, and the federal government when it is a party to  
42 any contract with the authority;

43 (13) "Person", any individual, firm, partnership, corporation, company, association, joint  
44 stock association, or body politic; and shall include any trustee, receiver, assignee or other similar  
45 representative thereof;

46 (14) "Plan", a plan as it exists from time to time for the orderly carrying on of a project of  
47 industrial development;

48 (15) "Project", any work or undertaking:

49 (a) To acquire blighted, insanitary and undeveloped industrial areas or portions thereof

1 including lands, structures or improvements the acquisition of which is necessary or incidental to the  
 2 proper industrial development of the blighted, insanitary and undeveloped industrial areas or to  
 3 prevent the spread or recurrence of conditions of blight, insanitary or undevelopment;

4 (b) To clear any such areas by demolition or removal of existing buildings, structures,  
 5 streets, utilities or other improvements thereon and to install, construct or reconstruct streets,  
 6 utilities and site improvements essential to the preparation of sites for uses in accordance with a  
 7 plan;

8 (c) To construct, reconstruct, remodel, repair, improve, install improvements, buildings,  
 9 plants, additions, stores, shops, shopping centers, office buildings, hotels and motels and parking  
 10 garages, multi-family housing facilities, warehouses, distribution centers, machines, fixtures,  
 11 structures and other facilities related to industrial and commercial uses;

12 (d) To sell, lease or otherwise make available land in such areas for industrial and  
 13 commercial or related use or to retain such land for public use, in accordance with a plan;

14 (16) "Public body", the state or any municipality, county, township, board, commission,  
 15 authority, district or any other subdivision of the state;

16 (17) "Real property", all lands, including improvements and fixtures thereon, and property  
 17 of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and  
 18 right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage  
 19 or otherwise and the indebtedness secured by such liens;

20 (18) "Undeveloped industrial area", any area which, by reason of defective and inadequate  
 21 street layout or location of physical improvements, obsolescence and inadequate subdivision and  
 22 platting contains vacant parcels of land not used economically; contains old, decaying, obsolete  
 23 buildings, plants, stores, shops, shopping centers, office buildings, hotels and motels and parking  
 24 garages, warehouses, distribution centers, structures; contains buildings, plants, stores, shops,  
 25 shopping centers, office buildings, hotels and motels and parking garages, multi-family housing  
 26 facilities, warehouses, distribution centers and structures whose operation is not economically  
 27 feasible; contains intermittent commercial and industrial structures in a primarily industrial or  
 28 commercial area; or contains insufficient space for the expansion and efficient use of land for  
 29 industrial plants and commercial uses amounting to conditions which retard economic or social  
 30 growth, are economic waste and social liabilities and represent an inability to pay reasonable taxes  
 31 to the detriment and injury of the public health, safety, morals and welfare.

32 135.950. The following terms, whenever used in sections 135.950 to 135.970 mean:

33 (1) "Average wage", the new payroll divided by the number of new jobs;

34 (2) "Blighted area", ~~[an area which, by reason of the predominance of defective or~~  
 35 ~~inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements,~~  
 36 ~~improper subdivision or obsolete platting, or the existence of conditions which endanger life or~~  
 37 ~~property by fire and other causes, or any combination of such factors, retards the provision of~~  
 38 ~~housing accommodations or constitutes an economic or social liability or a menace to the public~~  
 39 ~~health, safety, morals, or welfare in its present condition and use. The term "blighted area" shall~~  
 40 ~~also include any area which produces or generates or has the potential to produce or generate~~  
 41 ~~electrical energy from a renewable energy resource, and which, by reason of obsolescence,~~  
 42 ~~decadence, blight, dilapidation, deteriorating or inadequate site improvements, substandard~~  
 43 ~~conditions, the predominance or defective or inadequate street layout, unsanitary or unsafe~~  
 44 ~~conditions, improper subdivision or obsolete platting, or the existence of conditions which endanger~~  
 45 ~~the life or property by fire or other means, or any combination of such factors, is underutilized,~~  
 46 ~~unutilized, or diminishes the economic usefulness of the land, improvements, or lock and dam site~~  
 47 ~~within such area for the production, generation, conversion, and conveyance of electrical energy~~  
 48 ~~from a renewable energy resource] the same meaning as provided under section 99.805;~~

49 (3) "Board", an enhanced enterprise zone board established pursuant to section 135.957;



1 (4) "Commencement of commercial operations" shall be deemed to occur during the first  
2 taxable year for which the new business facility is first put into use by the taxpayer in the enhanced  
3 business enterprise in which the taxpayer intends to use the new business facility;

4 (5) "County average wage", the average wages in each county as determined by the  
5 department for the most recently completed full calendar year. However, if the computed county  
6 average wage is above the statewide average wage, the statewide average wage shall be deemed the  
7 county average wage for such county for the purpose of determining eligibility. The department  
8 shall publish the county average wage for each county at least annually. Notwithstanding the  
9 provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project  
10 is relocating employees from a Missouri county with a higher county average wage, such taxpayer  
11 shall obtain the endorsement of the governing body of the community from which jobs are being  
12 relocated or the county average wage for their project shall be the county average wage for the  
13 county from which the employees are being relocated;

14 (6) "Department", the department of economic development;

15 (7) "Director", the director of the department of economic development;

16 (8) "Employee", a person employed by the enhanced business enterprise that is scheduled to  
17 work an average of at least one thousand hours per year, and such person at all times has health  
18 insurance offered to him or her, which is partially paid for by the employer;

19 (9) "Enhanced business enterprise", an industry or one of a cluster of industries that is  
20 either:

21 (a) Identified by the department as critical to the state's economic security and growth; or

22 (b) Will have an impact on industry cluster development, as identified by the governing  
23 authority in its application for designation of an enhanced enterprise zone and approved by the  
24 department; but excluding gambling establishments (NAICS industry group 7132), retail trade  
25 (NAICS sectors 44 and 45), educational services (NAICS sector 61), religious organizations  
26 (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking  
27 places (NAICS subsector 722), however, notwithstanding provisions of this section to the contrary,  
28 headquarters or administrative offices of an otherwise excluded business may qualify for benefits if  
29 the offices serve a multistate territory. In the event a national, state, or regional headquarters  
30 operation is not the predominant activity of a project facility, the new jobs and investment of such  
31 headquarters operation is considered eligible for benefits under this section if the other requirements  
32 are satisfied. Service industries may be eligible only if a majority of its annual revenues will be  
33 derived from out of the state;

34 (10) "Existing business facility", any facility in this state which was employed by the  
35 taxpayer claiming the credit in the operation of an enhanced business enterprise immediately prior  
36 to an expansion, acquisition, addition, or replacement;

37 (11) "Facility", any building used as an enhanced business enterprise located within an  
38 enhanced enterprise zone, including the land on which the facility is located and all machinery,  
39 equipment, and other real and depreciable tangible personal property acquired for use at and located  
40 at or within such facility and used in connection with the operation of such facility;

41 (12) "Facility base employment", the greater of the number of employees located at the  
42 facility on the date of the notice of intent, or for the twelve-month period prior to the date of the  
43 notice of intent, the average number of employees located at the facility, or in the event the project  
44 facility has not been in operation for a full twelve-month period, the average number of employees  
45 for the number of months the facility has been in operation prior to the date of the notice of intent;

46 (13) "Facility base payroll", the total amount of taxable wages paid by the enhanced  
47 business enterprise to employees of the enhanced business enterprise located at the facility in the  
48 twelve months prior to the notice of intent, not including the payroll of owners of the enhanced  
49 business enterprise unless the enhanced business enterprise is participating in an employee stock

1 ownership plan. For the purposes of calculating the benefits under this program, the amount of base  
2 payroll shall increase each year based on the consumer price index or other comparable measure, as  
3 determined by the department;

4 (14) "Governing authority", the body holding primary legislative authority over a county or  
5 incorporated municipality;

6 (15) "Megaproject", any manufacturing or assembling facility, approved by the department  
7 for construction and operation within an enhanced enterprise zone, which satisfies the following:

8 (a) The new capital investment is projected to exceed three hundred million dollars over a  
9 period of eight years from the date of approval by the department;

10 (b) The number of new jobs is projected to exceed one thousand over a period of eight years  
11 beginning on the date of approval by the department;

12 (c) The average wage of new jobs to be created shall exceed the county average wage;

13 (d) The taxpayer shall offer health insurance to all new jobs and pay at least eighty percent  
14 of such insurance premiums; and

15 (e) An acceptable plan of repayment, to the state, of the tax credits provided for the  
16 megaproject has been provided by the taxpayer;

17 (16) "NAICS", the 1997 edition of the North American Industry Classification System as  
18 prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS  
19 sector, subsector, industry group or industry identified in this section shall include its corresponding  
20 classification in subsequent federal industry classification systems;

21 (17) "New business facility", a facility that does not produce or generate electrical energy  
22 from a renewable energy resource and satisfies the following requirements:

23 (a) Such facility is employed by the taxpayer in the operation of an enhanced business  
24 enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer  
25 if the taxpayer's only activity with respect to such facility is to lease it to another person or persons.  
26 If the taxpayer employs only a portion of such facility in the operation of an enhanced business  
27 enterprise, and leases another portion of such facility to another person or persons or does not  
28 otherwise use such other portions in the operation of an enhanced business enterprise, the portion  
29 employed by the taxpayer in the operation of an enhanced business enterprise shall be considered a  
30 new business facility, if the requirements of paragraphs (b), (c), and (d) of this subdivision are  
31 satisfied;

32 (b) Such facility is acquired by, or leased to, the taxpayer after December 31, 2004. A  
33 facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31,  
34 2004, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract  
35 to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs  
36 after December 31, 2004;

37 (c) If such facility was acquired by the taxpayer from another taxpayer and such facility was  
38 employed immediately prior to the acquisition by another taxpayer in the operation of an enhanced  
39 business enterprise, the operation of the same or a substantially similar enhanced business enterprise  
40 is not continued by the taxpayer at such facility; and

41 (d) Such facility is not a replacement business facility, as defined in subdivision (27) of this  
42 section;

43 (18) "New business facility employee", an employee of the taxpayer in the operation of a  
44 new business facility during the taxable year for which the credit allowed by section 135.967 is  
45 claimed, except that truck drivers and rail and barge vehicle operators and other operators of rolling  
46 stock for hire shall not constitute new business facility employees;

47 (19) "New business facility investment", the value of real and depreciable tangible personal  
48 property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer  
49 in the operation of the new business facility, during the taxable year for which the credit allowed by

1 135.967 is claimed, except that trucks, truck-trailers, truck semitrailers, rail vehicles, barge vehicles,  
2 aircraft and other rolling stock for hire, track, switches, barges, bridges, tunnels, and rail yards and  
3 spurs shall not constitute new business facility investments. The total value of such property during  
4 such taxable year shall be:

5 (a) Its original cost if owned by the taxpayer; or

6 (b) Eight times the net annual rental rate, if leased by the taxpayer. The net annual rental  
7 rate shall be the annual rental rate paid by the taxpayer less any annual rental rate received by the  
8 taxpayer from subrentals. The new business facility investment shall be determined by dividing by  
9 twelve the sum of the total value of such property on the last business day of each calendar month of  
10 the taxable year. If the new business facility is in operation for less than an entire taxable year, the  
11 new business facility investment shall be determined by dividing the sum of the total value of such  
12 property on the last business day of each full calendar month during the portion of such taxable year  
13 during which the new business facility was in operation by the number of full calendar months  
14 during such period;

15 (20) "New job", the number of employees located at the facility that exceeds the facility  
16 base employment less any decrease in the number of the employees at related facilities below the  
17 related facility base employment. No job that was created prior to the date of the notice of intent  
18 shall be deemed a new job;

19 (21) "Notice of intent", a form developed by the department which is completed by the  
20 enhanced business enterprise and submitted to the department which states the enhanced business  
21 enterprise's intent to hire new jobs and request benefits under such program;

22 (22) "Related facility", a facility operated by the enhanced business enterprise or a related  
23 company in this state that is directly related to the operation of the project facility;

24 (23) "Related facility base employment", the greater of:

25 (a) The number of employees located at all related facilities on the date of the notice of  
26 intent; or

27 (b) For the twelve-month period prior to the date of the notice of intent, the average number  
28 of employees located at all related facilities of the enhanced business enterprise or a related  
29 company located in this state;

30 (24) "Related taxpayer":

31 (a) A corporation, partnership, trust, or association controlled by the taxpayer;

32 (b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or

33 (c) A corporation, partnership, trust or association controlled by an individual, corporation,  
34 partnership, trust or association in control of the taxpayer. "Control of a corporation" shall mean  
35 ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined  
36 voting power of all classes of stock entitled to vote, "control of a partnership or association" shall  
37 mean ownership of at least fifty percent of the capital or profits interest in such partnership or  
38 association, and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty  
39 percent of the beneficial interest in the principal or income of such trust; ownership shall be  
40 determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

41 (25) "Renewable energy generation zone", an area which has been found, by a resolution or  
42 ordinance adopted by the governing authority having jurisdiction of such area, to be a blighted area  
43 and which contains land, improvements, or a lock and dam site which is unutilized or underutilized  
44 for the production, generation, conversion, and conveyance of electrical energy from a renewable  
45 energy resource;

46 (26) "Renewable energy resource", shall include:

47 (a) Wind;

48 (b) Solar thermal sources or photovoltaic cells and panels;

49 (c) Dedicated crops grown for energy production;

- 1 (d) Cellulosic agricultural residues;  
 2 (e) Plant residues;  
 3 (f) Methane from landfills, agricultural operations, or wastewater treatment;  
 4 (g) Thermal depolymerization or pyrolysis for converting waste material to energy;  
 5 (h) Clean and untreated wood such as pallets;  
 6 (i) Hydroelectric power, which shall include electrical energy produced or generated by  
 7 hydroelectric power generating equipment, as such term is defined in section 137.010;  
 8 (j) Fuel cells using hydrogen produced by one or more of the renewable resources provided  
 9 in paragraphs (a) to (i) of this subdivision; or  
 10 (k) Any other sources of energy, not including nuclear energy, that are certified as renewable  
 11 by rule by the department of economic development;
- 12 (27) "Replacement business facility", a facility otherwise described in subdivision (17) of  
 13 this section, hereafter referred to in this subdivision as "new facility", which replaces another  
 14 facility, hereafter referred to in this subdivision as "old facility", located within the state, which the  
 15 taxpayer or a related taxpayer previously operated but discontinued operating on or before the close  
 16 of the first taxable year for which the credit allowed by this section is claimed. A new facility shall  
 17 be deemed to replace an old facility if the following conditions are met:
- 18 (a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's  
 19 or related taxpayer's taxable period immediately preceding the taxable year in which  
 20 commencement of commercial operations occurs at the new facility; and  
 21 (b) The old facility was employed by the taxpayer or a related taxpayer in the operation of  
 22 an enhanced business enterprise and the taxpayer continues the operation of the same or  
 23 substantially similar enhanced business enterprise at the new facility. Notwithstanding the  
 24 preceding provisions of this subdivision, a facility shall not be considered a replacement business  
 25 facility if the taxpayer's new business facility investment, as computed in subdivision (19) of this  
 26 section, in the new facility during the tax period for which the credits allowed in section 135.967 are  
 27 claimed exceed one million dollars and if the total number of employees at the new facility exceeds  
 28 the total number of employees at the old facility by at least two;
- 29 (28) "Same or substantially similar enhanced business enterprise", an enhanced business  
 30 enterprise in which the nature of the products produced or sold, or activities conducted, are similar  
 31 in character and use or are produced, sold, performed, or conducted in the same or similar manner as  
 32 in another enhanced business enterprise.
- 33 262.900. 1. As used in this section, the following terms mean:
- 34 (1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product,  
 35 growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product,  
 36 planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either  
 37 in its natural or processed state, that has been produced, processed, or otherwise had value added to  
 38 it in this state;
- 39 (2) "Blighted area", ~~[that portion of the city within which the legislative authority of such~~  
 40 ~~city determines that by reason of age, obsolescence, inadequate, or outmoded design or physical~~  
 41 ~~deterioration have become economic and social liabilities, and that such conditions are conducive to~~  
 42 ~~ill health, transmission of disease, crime or inability to pay reasonable taxes]~~ the same meaning as  
 43 provided under section 99.805;
- 44 (3) "Department", the department of agriculture;
- 45 (4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited  
 46 to ostrich and emu, llamas, alpaca, buffalo, bison, elk documented as obtained from a legal source  
 47 and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human  
 48 consumption;
- 49 (5) "Grower UAZ", a type of UAZ:

1 (a) That can either grow produce, raise livestock, or produce other value-added agricultural  
2 products;

3 (b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or thirty  
4 domesticated animals;

5 (6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich  
6 and emu, aquatic products as described in section 277.024, llamas, alpaca, buffalo, bison, elk  
7 documented as obtained from a legal source and not from the wild, goats, or horses, other equines,  
8 or rabbits raised in confinement for human consumption;

9 (7) "Locally grown", a product that was grown or raised in the same county or city not  
10 within a county in which the UAZ is located or in an adjoining county or city not within a county.  
11 For a product raised or sold in a city not within a county, locally grown also includes an adjoining  
12 county with a charter form of government with more than nine hundred fifty thousand inhabitants  
13 and those adjoining said county;

14 (8) "Meat", any edible portion of livestock or poultry carcass or part thereof;

15 (9) "Meat product", anything containing meat intended for or capable of use for human  
16 consumption, which is derived, in whole or in part, from livestock or poultry;

17 (10) "Mobile unit", the same as motor vehicle as defined in section 301.010;

18 (11) "Poultry", any domesticated bird intended for human consumption;

19 (12) "Processing UAZ", a type of UAZ:

20 (a) That processes livestock, poultry, or produce for human consumption;

21 (b) That meets federal and state processing laws and standards;

22 (c) Is a qualifying small business approved by the department;

23 (13) "Qualifying small business", those enterprises which are established within an Urban  
24 Agricultural Zone subsequent to its creation, and which meet the definition established for the Small  
25 Business Administration and set forth in Section 121.201 of Part 121 of Title 13 of the Code of  
26 Federal Regulations;

27 (14) "Value-added agricultural products", any product or products that are the result of:

28 (a) Using an agricultural product grown in this state to produce a meat or dairy product in  
29 this state;

30 (b) A change in the physical state or form of the original agricultural product;

31 (c) An agricultural product grown in this state which has had its value enhanced by special  
32 production methods such as organically grown products; or

33 (d) A physical segregation of a commodity or agricultural product grown in this state that  
34 enhances its value such as identity preserved marketing systems;

35 (15) "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical area as  
36 defined by the United States Office of Budget and Management that has one or more of the  
37 following entities that is a qualifying small business and approved by the department, as follows:

38 (a) Any organization or person who grows produce or other agricultural products;

39 (b) Any organization or person that raises livestock or poultry;

40 (c) Any organization or person who processes livestock or poultry;

41 (d) Any organization that sells at a minimum seventy-five percent locally grown food;

42 (16) "Vending UAZ", a type of UAZ:

43 (a) That sells produce, meat, or value-added locally grown agricultural goods;

44 (b) That is able to accept food stamps under the provisions of the Supplemental Nutrition  
45 Assistance Program as a form of payment; and

46 (c) Is a qualifying small business that is approved by the department for an UAZ vendor  
47 license.

48 2. (1) A person or organization shall submit to any incorporated municipality an application  
49 to develop an UAZ on a blighted area of land. Such application shall demonstrate or identify on the

1 application:

2 (a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ, or a  
3 combination of all three types of UAZs provided in this paragraph, in which case the person or  
4 organization shall meet the requirements of each type of UAZ in order to qualify;

5 (b) The number of jobs to be created;

6 (c) The types of products to be produced; and

7 (d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of  
8 the Supplemental Nutrition Assistance Program if selling products to consumers.

9 (2) A municipality shall review and modify the application as necessary before either  
10 approving or denying the request to establish an UAZ.

11 (3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the  
12 development of the UAZ. After twenty-five years, the UAZ shall dissolve.

13  
14 If the municipality finds during its review that the UAZ is not meeting the requirements set out in  
15 this section, the municipality may dissolve the UAZ.

16 3. The governing body of any municipality planning to seek designation of an urban  
17 agricultural zone shall establish an urban agricultural zone board. The number of members on the  
18 board shall be seven. One member of the board shall be appointed by the school district or districts  
19 located within the area proposed for designation of an urban agricultural zone. Two members of the  
20 board shall be appointed by other affected taxing districts. The remaining four members shall be  
21 chosen by the chief elected officer of the municipality. The four members chosen by the chief  
22 elected officer of the municipality shall all be residents of the county or city not within a county in  
23 which the UAZ is to be located, and at least one of such four members shall have experience in or  
24 represent organizations associated with sustainable agriculture, urban farming, community  
25 gardening, or any of the activities or products authorized by this section for UAZs.

26 4. The school district member and the two affected taxing district members shall each have  
27 initial terms of five years. Of the four members appointed by the chief elected official, two shall  
28 have initial terms of four years, and two shall have initial terms of three years. Thereafter, members  
29 shall serve terms of five years. Each member shall hold office until a successor has been appointed.  
30 All vacancies shall be filled in the same manner as the original appointment. For inefficiency or  
31 neglect of duty or misconduct in office, a member of the board may be removed by the applicable  
32 appointing authority.

33 5. A majority of the members shall constitute a quorum of such board for the purpose of  
34 conducting business and exercising the powers of the board and for all other purposes. Action may  
35 be taken by the board upon a vote of a majority of the members present.

36 6. The members of the board annually shall elect a chair from among the members.

37 7. The role of the board shall be to conduct the activities necessary to advise the governing  
38 body on the designation of an urban agricultural zone and any other advisory duties as determined  
39 by the governing body. The role of the board after the designation of an urban agricultural zone  
40 shall be review and assessment of zone activities.

41 8. Prior to the adoption of an ordinance proposing the designation of an urban agricultural  
42 zone, the urban agricultural board shall fix a time and place for a public hearing and notify each  
43 taxing district located wholly or partially within the boundaries of the proposed urban agricultural  
44 zone. The board shall send, by certified mail, a notice of such hearing to all taxing districts and  
45 political subdivisions in the area to be affected and shall publish notice of such hearing in a  
46 newspaper of general circulation in the area to be affected by the designation at least twenty days  
47 prior to the hearing but not more than thirty days prior to the hearing. Such notice shall state the  
48 time, location, date, and purpose of the hearing. At the public hearing any interested person or  
49 affected taxing district may file with the board written objections to, or comments on, and may be

1 heard orally in respect to, any issues embodied in the notice. The board shall hear and consider all  
2 protests, objections, comments, and other evidence presented at the hearing. The hearing may be  
3 continued to another date without further notice other than a motion to be entered upon the minutes  
4 fixing the time and place of the subsequent hearing.

5 9. Following the conclusion of the public hearing required under subsection 8 of this  
6 section, the governing authority of the municipality may adopt an ordinance designating an urban  
7 agricultural zone.

8 10. The real property of the UAZ shall not be subject to assessment or payment of ad  
9 valorem taxes on real property imposed by the cities affected by this section, or by the state or any  
10 political subdivision thereof, for a period of up to twenty-five years as specified by ordinance under  
11 subsection 9 of this section, except to such extent and in such amount as may be imposed upon such  
12 real property during such period, as was determined by the assessor of the county in which such real  
13 property is located, or, if not located within a county, then by the assessor of such city, in an amount  
14 not greater than the amount of taxes due and payable thereon during the calendar year preceding the  
15 calendar year during which the urban agricultural zone was designated. The amounts of such tax  
16 assessments shall not be increased during such period so long as the real property is used in  
17 furtherance of the activities provided under the provisions of subdivision (15) of subsection 1 of this  
18 section. At the conclusion of the period of abatement provided by the ordinance, the property shall  
19 then be reassessed. If only a portion of real property is used as an UAZ, then only that portion of  
20 real property shall be exempt from assessment or payment of ad valorem taxes on such property, as  
21 provided by this section.

22 11. If the water services for the UAZ are provided by the municipality, the municipality may  
23 authorize a grower UAZ to pay wholesale water rates for the cost of water consumed on the UAZ.  
24 If available, the UAZ may pay fifty percent of the standard cost to hook onto the water source.

25 12. (1) Any local sales tax revenues received from the sale of agricultural products sold in  
26 the UAZ, or any local sales tax revenues received by a mobile unit associated with a vending UAZ  
27 selling agricultural products in the municipality in which the vending UAZ is located, shall be  
28 deposited in the urban agricultural zone fund established in subdivision (2) of this subsection. An  
29 amount equal to one percent shall be retained by the director of revenue for deposit in the general  
30 revenue fund to offset the costs of collection.

31 (2) There is hereby created in the state treasury the "Urban Agricultural Zone Fund", which  
32 shall consist of money collected under subdivision (1) of this subsection. The state treasurer shall  
33 be custodian of the fund. In accordance with sections 30.170 and 30.180, the state treasurer may  
34 approve disbursements. The fund shall be a dedicated fund and, upon appropriation, shall be used  
35 for the purposes authorized by this section. Notwithstanding the provisions of section 33.080 to the  
36 contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit  
37 of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner  
38 as other funds are invested. Any interest and moneys earned on such investments shall be credited  
39 to the fund. Fifty percent of fund moneys shall be made available to school districts. The remaining  
40 fifty percent of fund moneys shall be allocated to municipalities that have urban agricultural zones  
41 based upon the municipality's percentage of local sales tax revenues deposited into the fund. The  
42 municipalities shall, upon appropriation, provide fund moneys to urban agricultural zones within the  
43 municipality for improvements. School districts may apply to the department for money in the fund  
44 to be used for the development of curriculum on or the implementation of urban farming practices  
45 under the guidance of the University of Missouri extension service and a certified vocational  
46 agricultural instructor. The funds are to be distributed on a competitive basis within the school  
47 district or districts in which the UAZ is located pursuant to rules to be promulgated by the  
48 department, with special consideration given to the relative number of students eligible for free and  
49 reduced-price lunches attending the schools within such district or districts.

1 13. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
 2 under the authority delegated in this section shall become effective only if it complies with and is  
 3 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
 4 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to  
 5 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
 6 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
 7 August 28, 2013, shall be invalid and void.

8 14. The provisions of this section shall not apply to any county with a charter form of  
 9 government and with more than three hundred thousand but fewer than four hundred fifty thousand  
 10 inhabitants.

11 353.020. The following terms, whenever used or referred to in this chapter, mean:

12 (1) "Area", that portion of the city which the legislative authority of such city has found or  
 13 shall find to be blighted so that the clearance, replanning, rehabilitation, or reconstruction thereof is  
 14 necessary to effectuate the purposes of this law. Any such area may include buildings or  
 15 improvements not in themselves blighted, and any real property, whether improved or unimproved,  
 16 the inclusion of which is deemed necessary for the effective clearance, replanning, reconstruction or  
 17 rehabilitation of the area of which such buildings, improvements or real property form a part;

18 (2) "Blighted area", ~~[that portion of the city within which the legislative authority of such~~  
 19 ~~city determines that by reason of age, obsolescence, inadequate or outmoded design or physical~~  
 20 ~~deterioration have become economic and social liabilities, and that such conditions are conducive to~~  
 21 ~~ill health, transmission of disease, crime or inability to pay reasonable taxes]~~ the same meaning as  
 22 provided under section 99.805;

23 (3) "City" or "such cities", any city within this state and any county of the first classification  
 24 with a charter form of government and a population of at least nine hundred thousand inhabitants or  
 25 any county with a charter form of government and with more than six hundred thousand but less  
 26 than seven hundred thousand inhabitants. The county's authority pursuant to this chapter shall be  
 27 restricted to the unincorporated areas of such county;

28 (4) "Development plan", a plan, together with any amendments thereto, for the development  
 29 of all or any part of a blighted area, which is authorized by the legislative authority of any such city;

30 (5) "Legislative authority", the city council or board of aldermen of the cities affected by  
 31 this chapter;

32 (6) "Mortgage", a mortgage, trust indenture, deed of trust, building and loan contract, or  
 33 other instrument creating a lien on real property, to secure the payment of an indebtedness, and the  
 34 indebtedness secured by any of them;

35 (7) "Real property" includes lands, buildings, improvements, land under water, waterfront  
 36 property, and any and all easements, franchises and hereditaments, corporeal or incorporeal, and  
 37 every estate, interest, privilege, easement, franchise and right therein, or appurtenant thereto, legal  
 38 or equitable, including restrictions of record, created by plat, covenant or otherwise, rights-of-way  
 39 and terms for years;

40 (8) "Redevelopment", the clearance, replanning, reconstruction or rehabilitation of any  
 41 blighted area, and the provision for such industrial, commercial, residential or public structures and  
 42 spaces as may be appropriate, including recreational and other facilities incidental or appurtenant  
 43 thereto;

44 (9) "Redevelopment project", a specific work or improvement to effectuate all or any part of  
 45 a development plan;

46 (10) "Urban redevelopment corporation", a corporation organized pursuant to this chapter;  
 47 except that any life insurance company organized pursuant to the laws of, or admitted to do business  
 48 in, the state of Missouri may from time to time within five years after April 23, 1946, undertake,  
 49 alone or in conjunction with, or as a lessee of any such life insurance company or urban



1 redevelopment corporation, a redevelopment project pursuant to this chapter, and shall, in its  
2 operations with respect to any such redevelopment project, but not otherwise, be deemed to be an  
3 urban redevelopment corporation for the purposes of this section and sections 353.010, 353.040,  
4 353.060 and 353.110 to 353.160."; and  
5  
6 Further amend said bill by amending the title, enacting clause, and intersectional references  
7 accordingly.