

SECOND REGULAR SESSION

# SENATE BILL NO. 1164

91ST GENERAL ASSEMBLY

---

INTRODUCED BY SENATORS COLEMAN, KENNEDY, DOUGHERTY, STAPLES, SIMS,  
YECKEL, JACOB, KINDER AND WIGGINS.

Read 1st time February 14, 2002, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

4698L.01I

---

## AN ACT

To amend chapter 67, RSMo, by adding thereto twenty-one new sections relating to the sports center redevelopment authority act.

---

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

Section A. Chapter 67, RSMo, is amended by adding thereto twenty-one new sections, to be known as sections 67.2000, 67.2003, 67.2006, 67.2009, 67.2012, 67.2015, 67.2018, 67.2021, 67.2024, 67.2027, 67.2030, 67.2033, 67.2036, 67.2039, 67.2042, 67.2045, 67.2048, 67.2051, 67.2054, 67.2057, and 67.2060, to read as follows:

**67.2000. Sections 67.2000 to 67.2060 shall be known and may be cited as the "Sports Center Redevelopment Authority Act".**

**67.2003. Any city within the state of Missouri wherein there is located a major league sports facility as of the effective date of sections 67.2000 to 67.2060, and any county which includes or is adjacent to such city, may pass an ordinance establishing a joint sports center redevelopment authority for the purpose of establishing and carrying out a sports center redevelopment plan as set forth in sections 67.2000 to 67.2060.**

**67.2006. It is hereby found and declared that there exist blighted deteriorated and deteriorating areas injurious to the public health, safety, morals, and welfare of the residents of the state that cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in sections 67.2000 to 67.2060; that the elimination or prevention of blight and the detrimental conditions in such areas, the acquisition and preparation of land in or necessary to the development, renewal, or rehabilitation of such areas and its sale or lease for**

**development, renewal, or rehabilitation in accordance with general plans and redevelopment plans of communities and any assistance which may be given by any public body in connection therewith are public uses and purposes for which public money may be expended and private property acquired; and that the necessity in the public interest for the provisions thus enacted is hereby declared as a matter of legislative determination; and that deteriorated or deteriorating areas, or portions thereof, may require acquisition and clearance, as provided in this law, since the prevailing condition may make impracticable the reclamation of the area by conservation or rehabilitation. A sports center redevelopment authority, to the greatest extent it determines to be feasible in carrying out sections 67.2000 to 67.2060, shall afford maximum opportunity, consistent with the sound needs of the community as a whole, to the rehabilitation or redevelopment or renewal of areas by private enterprise and will significantly benefit the public by increasing state and local tax revenues through the creation of new jobs, increased sales, increased property tax values, and taxes withheld from employees by employers, and by enhancing regional tourism, and creating an environment to stimulate additional private investment in the area where new development will be located.**

**67.2009. As used in sections 67.2000 to 67.2060, the following terms mean:**

**(1) "Authority" or "sports center redevelopment authority", a public body corporate and politic and political instrumentality created by or pursuant to sections 67.2000 to 67.2060;**

**(2) "Blighted area", an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, age, obsolescence, inadequate or outmoded design, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or menace to the public health, safety, morals, or welfare in its present condition and use;**

**(3) "Bond", any bonds, including refunding bonds, notes, interim certificates, debentures, or other obligations issued by a sports center redevelopment authority or other public body pursuant to sections 67.2000 to 67.2060;**

**(4) "City", any city within the state of Missouri wherein there is located a major league sports facility;**

**(5) "City naming rights fund", the fund of the authority which contains the city's portion of revenues received from the sale of the naming rights for the stadium;**

**(6) "Clerk", the clerk or other official of the municipality or county who is the**

**custodian of the official records of the municipality or county;**

**(7) "Conservation area", any improved area within the boundaries of a sports center redevelopment area in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; age; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning;**

**(8) "County", any county which includes or is adjacent to a city;**

**(9) "County convention and recreation trust fund", the trust fund established pursuant to section 67.657;**

**(10) "County executive", the chief elected officer having the duties customarily imposed upon the executive head of a county;**

**(11) "Economic activity taxes", the total additional revenue, in a calendar year, from taxes which are imposed by the city and other taxing districts, and which are generated by economic activities within the sports center redevelopment area over the amount of such taxes generated by economic activities within such sports center redevelopment area in the third calendar year before the adoption of the ordinance approving the sports center redevelopment plan, while the sports center redevelopment plan remains in effect, including payments in lieu of such economic activity taxes, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, and the sales tax imposed by subsection 5 of section 162.1100, RSMo;**

**(12) "Federal government", the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America;**

**(13) "Governing body", the county council, board of aldermen, or other legislative body charged with governing the city or the county;**

**(14) "Mayor", the elected mayor of the city or the chief elected officer having the duties customarily imposed upon the mayor of a city;**

**(15) "Municipality", a city, village, incorporated town, or any county of this state;**

**(16) "New state revenues" are defined as:**

**(a) The increase, in a calendar year, in the general revenue portion of state sales tax revenues received pursuant to section 144.020, RSMo, from the designated**

sports center redevelopment area, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district tax fund in accordance with section 144.701, RSMo, and sales and use taxes on motor vehicles, trailers, boats, and outboard motors, and future sales taxes earmarked by law for specific, nongeneral uses, over the amount of such taxes generated within such sports center redevelopment area in the third calendar year before the adoption by the city of the ordinance approving the sports center redevelopment plan, including payments in lieu of such state sales taxes, commencing on January first of the year in which the sports center redevelopment plan is placed in effect and continuing while such plan remains in effect; and

(b) The increase, in a calendar year, in state income tax withheld on behalf of employees by the employer pursuant to section 143.221, RSMo, derived from sources within the sports center redevelopment area over the amount of such taxes derived from sources within the redevelopment area in the third calendar year before the adoption by the city of the ordinance approving the sports center redevelopment plan, including payments in lieu of such state income taxes, commencing on January first of the year in which the sports center redevelopment plan is placed in effect and continuing while such plan remains in effect;

(17) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued to carry out a sports center redevelopment project or to refund outstanding obligations;

(18) "Obligee", any bondholders or other obligation holders, agents, or trustees for any bondholders or other obligation holders, or lessor demising to the authority, property used in connection with the sports center redevelopment project, or any assignee or assignees of the lessor's interest or any part thereof, and the federal government when it is a party to any contract with the authority;

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

(20) "Project costs" include the sum total of all reasonable or necessary costs incurred or estimated to be incurred in connection with, and any such costs incidental to, a sports center redevelopment plan or sports center redevelopment project, as applicable. Such costs include, but are not limited to, the following:

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

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

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of

**buildings, and the clearing and grading of land;**

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

**(e) Costs of construction of public works, stadiums, buildings, parking lots, or other improvements, including utilities and infrastructure and costs of fees and permits;**

**(f) Financing costs, including, but not limited to, all necessary and incidental expenses related to the issuance of obligations, and which may include payment of interest on any obligations issued hereunder accruing during the estimated period of construction of any sports center redevelopment project for which such obligations are issued, and including reasonable reserves related thereto;**

**(g) All or a portion of capital costs resulting from the sports center redevelopment project necessarily incurred or to be incurred in furtherance of the objectives of the sports center redevelopment plan and project, to the extent such costs are accepted and approved by written agreement;**

**(h) Relocation costs to the extent that it is determined that relocation costs shall be paid or are required to be paid by federal or state law; and**

**(i) Payments in lieu of taxes;**

**(21) "Public body", the state or any municipality, township, board, agency, commission, authority, district, or any other political subdivision of the state;**

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

**(23) "Redeveloper", any person, partnership, or public or private corporation or agency that enters into or proposes to undertake a sports center redevelopment plan or project;**

**(24) "Redevelopment", the process of undertaking and carrying out a sports center redevelopment plan or project;**

**(25) "Redevelopment contract", a contract entered into between an authority or other public body and a redeveloper or other private entity in furtherance of a sports center redevelopment project or projects in conformity with a sports center redevelopment plan;**

**(26) "Special allocation fund", a fund of the city for the deposit of economic activity taxes allocated to a sports center redevelopment project;**

**(27) "Sports center redevelopment area", an area designated by the authority with respect to which a sports center redevelopment plan is to be carried out;**

**(28) "Sports center redevelopment plan", a plan as it exists from time to time, for a sports center redevelopment project or projects; and shall be sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the relationship of the plan to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements. Any sports center redevelopment plan shall include provisions for the development or redevelopment of both a stadium and mixed-use facilities which may include parking facilities, housing units, office space, commercial and retail space, and cultural and entertainment attractions;**

**(29) "Sports center redevelopment project" or "project", any work or undertaking in furtherance of a sports center redevelopment plan, including, but not limited to, the following activities:**

**(a) To acquire lands, and to acquire, construct, and equip structures and other improvements, wherever located, which are necessary or incidental to the proper development or redevelopment of a sports center redevelopment area;**

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

**(c) To sell, acquire, lease, or otherwise make available land for recreational, commercial, or other use or for public use or to retain such land for public use, in accordance with a sports center redevelopment plan;**

**(d) To develop, construct, reconstruct, rehabilitate, repair, or improve buildings, structures, stadiums, and other facilities.**

**Sports center redevelopment project may also include the preparation of a sports center redevelopment plan, the planning, survey and other work incident to a sports center redevelopment project and the preparation of all plans and arrangements for carrying out a sports center redevelopment project;**

**(30) "Stadium", a sports facility suited for the play of a major league sport or sports which is approved by the city as part of a sports center redevelopment plan;**

**(31) "State", the state of Missouri;**

**(32) "State naming rights fund", the fund of the authority which contains the state's portion of revenues received from the sale of the naming rights for the stadium; and**

**(33) "Taxing districts", any political subdivision of this state having the power to levy taxes.**

**67.2012. 1. A board of commissioners composed of nine members shall govern the authority created hereunder. The commissioners shall be appointed as follows:**

**(1) Two commissioners shall be appointed by the mayor of the city with the advice and consent of the governing body of the city;**

**(2) Two commissioners shall be appointed by the county executive of the county with the advice and consent of the governing body of the county;**

**(3) Five commissioners shall be appointed by the governor with the advice and consent of the senate. Of the five commissioners appointed, the governor shall designate one who shall serve as the chair of the board.**

**2. Two of the five commissioners who are first appointed by the governor shall be designated to serve for a term of one year from the date of the appointment. One of each of the two commissioners who are first appointed by the mayor and the county executive and one of the commissioners initially appointed by the governor shall be designated to serve for terms of two years from the date of their appointments. The remaining commissioner initially appointed by each of the mayor and the county executive and one of the commissioners initially appointed by the governor shall be designated to serve for terms of three years from the date of their appointments. The remaining commissioner initially appointed by the governor to serve as the chair of the authority shall be designated for a term of four years from the date of the appointment. Thereafter, commissioners shall be appointed in the same manner for a term of office for four years except that all vacancies shall be filled for the unexpired term.**

**3. The powers vested in the authority shall be exercised by the board of commissioners thereof. A majority of the commissioners shall constitute a quorum of such board for the purpose of conducting business and exercising the powers of the authority and for all other purposes. Action may be taken by the board upon a vote of a majority of the commissioners present. Meetings of the board of an authority may be held anywhere.**

**4. An authority may employ an executive director, technical experts, and such other officers, agents, and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties, and compensation. For such legal services as it may require, an authority may call upon or may employ its own counsel. An authority may delegate to one or more of its agents or employees such powers or duties as it may deem proper.**

**5. No commissioner or employee of the authority shall voluntarily acquire any**

**interest, direct or indirect, in any sports center redevelopment project or in any property included or planned by the authority to be included in any such project, or in any contract or proposed contract in connection with any such project.**

**6. A commissioner or employee who owns or controls any interest, direct or indirect, in such property shall not participate in any action by the authority affecting the property. If any commissioner or employee of an authority owned or controlled within the preceding two years any interest, direct or indirect, in any property included or planned by the authority to be included in any sports center redevelopment project, the commissioner or employee shall immediately disclose such interest in writing to the authority and such disclosure shall be entered upon the minutes of the authority. Upon such disclosure such commissioner or employee shall not participate in any action by the authority affecting such property.**

**7. Any violation of subsections 5 and 6 of this section shall constitute misconduct in office and shall be cause for removal from the authority.**

**67.2015. An authority shall constitute a public body corporate and politic and political instrumentality, exercising public and essential governmental functions, and having all the powers necessary or convenient to carry out and effectuate the purposes of sections 67.2000 to 67.2060, including the following powers in addition to others granted in sections 67.2000 to 67.2060:**

**(1) To sue and to be sued; to have a seal and to alter the same at pleasure; to have perpetual succession; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the authority; and to make and from time to time amend and repeal bylaws, rules and regulations, not inconsistent with sections 67.2000 to 67.2060, to carry out sections 67.2000 to 67.2060;**

**(2) To prepare or cause to be prepared and to adopt or approve sports center redevelopment plans and to undertake and carry out sports center redevelopment projects;**

**(3) To arrange or contract for the furnishing or repair, by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities, or other facilities for or in connection with a sports center redevelopment project; and notwithstanding anything to the contrary contained in sections 67.2000 to 67.2060 or any other provision of law, to agree to any conditions that it may deem reasonable and appropriate attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of a stadium or sports center redevelopment project, and to include in any contract let in connection with such a project provisions to fulfill such of the conditions as it may deem**



**reasonable and appropriate;**

**(4) To purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise, eminent domain, or otherwise, any real or personal property or any interest therein, including fee simple absolute title, together with any improvements thereon, necessary or incidental to a sports center redevelopment project; to hold, improve, clear, or prepare for development or redevelopment of any such property; to develop, construct, reconstruct, rehabilitate, repair, or improve stadiums, parking garages, buildings, structures, and any other facilities; to sell, lease, exchange, transfer, assign, subdivide, retain for its own use, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest therein; to enter into contracts with redevelopers or developers of property and with other public bodies containing covenants, restrictions, and conditions regarding the use of such property for commercial, industrial, recreational purposes or for public purposes in accordance with a sports center redevelopment project and such other covenants, restrictions, and conditions as the authority may deem necessary or to effectuate sections 67.2000 to 67.2060; to make any of the covenants, restrictions, or conditions of the foregoing contracts covenants running with the land, and to provide appropriate remedies for any breach of any such covenants or conditions, including the right in the authority to terminate such contracts and any interest in the property created pursuant thereto; to borrow money and issue bonds and other obligations and provide security for loans, bonds, and other obligations; to insure or provide for the insurance of any real or personal property or operations of the authority against any risks or hazards, including the power to pay premiums on any such insurance; and to enter into any contracts necessary to effectuate sections 67.2000 to 67.2060; provided, however, that no statutory provision with respect to the acquisition, clearance, or disposition of property by other public bodies shall restrict an authority or other public bodies exercising powers granted in sections 67.2000 to 67.2060, in such functions, unless the legislature shall specifically so state;**

**(5) To make plans for carrying out a program of voluntary rehabilitation or development of buildings and improvements, plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements, and for the compulsory repair, rehabilitation, development, demolition, or removal of buildings and improvements;**

**(6) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement, in property or securities in which the authority legally may invest funds;**

**(7) To redeem its bonds and other obligations at the redemption price, all bonds**

**and other obligations so redeemed to be canceled, and to purchase its bonds and other obligations;**

**(8) To borrow money and to apply for and accept and contract for advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, county, municipality, or other public body or from any sources public or private, for the purposes of sections 67.2000 to 67.2060, to give such security as may be required and to enter into and carry out contracts in connection therewith;**

**(9) Acting through one or more commissioners or other persons designated by the authority, to conduct examinations and investigations and to hear testimony and take proof under oath at public or private hearings on any matter material for its information;**

**(10) To make or have made all surveys, studies, and plans, including but not limited to the preparation of planning, necessary to the carrying out of sections 67.2000 to 67.2060 and, in connection therewith, to enter into or upon any land, building, or improvement thereon for such purposes and to make soundings, test borings, surveys, appraisals, and other preliminary studies and investigations necessary to carry out its powers, but such entry shall constitute no cause of action for trespass in favor of the owner of such land, building, or improvement except for injuries resulting from wantonness or malice; and to contract or cooperate with any and all persons or agencies, public or private, in the making and carrying out of the surveys, appraisals, studies, and plans;**

**(11) To prepare plans and provide reasonable assistance for the relocation of families, if any, displaced from a sports center redevelopment project area, to the extent essential for acquiring possession of and clearing or renewing the area or parts thereof;**

**(12) To make such expenditures as may be necessary to carry out sections 67.2000 to 67.2060; and to make expenditures from funds obtained from other taxing districts without regard to any other laws pertaining to the making and approval of appropriations and expenditures;**

**(13) To delegate to a municipality or other public body any of the powers or functions of the authority with respect to the planning or undertaking of a sports center redevelopment project in the area in which the authority is authorized to act, and the municipality or other public body is hereby authorized to carry out or perform such powers or functions for the authority;**

**(14) To exercise all powers or parts or combinations of powers necessary, convenient or appropriate to undertake and carry out sports center redevelopment**

**plans and projects and all the powers granted in sections 67.2000 to 67.2060;**

**(15) To loan the proceeds of the bonds or other obligations hereinafter authorized to provide for the purchase, construction, extension, and improvement of a sports center redevelopment project by a private or public developer pursuant to a redevelopment contract approved by the authority;**

**(16) Within a sports center redevelopment area, to fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility in the sports center redevelopment area;**

**(17) To accept grants, contributions, guarantees, and donations of property, labor, money, or other things of value from a public or private source for use within a sports center redevelopment area or for the payment of obligations;**

**(18) To incur development costs and issue obligations; and**

**(19) To make payments in lieu of taxes, or a portion thereof, to taxing districts.**

**67.2018. 1. An authority shall have the right to acquire by the exercise of the power of eminent domain any real property or interest therein which it may deem necessary for a sports center redevelopment project or for its purposes pursuant to sections 67.2000 to 67.2060 after the adoption by the authority of a resolution declaring that the acquisition of the real property described therein is necessary for such purposes. An authority may exercise the power of eminent domain in the manner and under the procedure provided for corporations in sections 523.010 to 523.070, 523.090, and 523.100, RSMo, or it may exercise the power of eminent domain in the manner provided in the charter of the city for the exercise of the power of eminent domain.**

**2. Property already devoted to a public use may be acquired in like manner, provided that no real property belonging to any public body may be acquired without its consent.**

**67.2021. For the purpose of aiding and cooperating in the planning, undertaking, or carrying out of a sports center redevelopment plan or project, any public body may, upon such terms, with reasonable consideration, as it may determine:**

**(1) Dedicate, sell, convey, or lease any of its interest in any property, or grant easements, licenses, or any other rights or privileges therein to an authority;**

**(2) Cause parks, playgrounds, recreational, community, educational, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished in compliance with a sports center redevelopment plan;**

**(3) Furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places, which it is otherwise empowered to**

**undertake;**

**(4) Plan or replan, zone or rezone any part of the public body, or make exceptions from building regulations and ordinances if such functions are of the character which the public body is otherwise empowered to perform;**

**(5) Cause administrative and other services to be furnished to the authority of the character which the public body is otherwise empowered to undertake or furnish for the same or other purposes;**

**(6) Incur the entire expense of any public improvements or other services made or provided by such public body in exercising the powers granted in this section;**

**(7) Approve and adopt a sports center redevelopment plan and do any and all things necessary or convenient to aid and cooperate in the planning or carrying out of a sports center redevelopment plan;**

**(8) Lend, grant, or contribute funds or other property to an authority or other public body;**

**(9) Employ any funds belonging to or within the control of such public body, including funds derived from the sale or furnishing of property, service, or facilities to an authority, in the purchase of the bonds or other obligations of an authority and, as the holder of such bonds or other obligations, exercise the rights connected therewith;**

**(10) Lease or sublease property, including any sports facility redevelopment project or portion thereof from others and pay rent or other consideration therefor; and**

**(11) Enter into agreements, which may extend over any period, notwithstanding any provision or rule of law to the contrary, with an authority or other public body respecting action to be taken pursuant to any of the powers granted in sections 67.2000 to 67.2060. If at any time title to, or possession of, any sports center redevelopment project is held by any public body, other than the authority, authorized by law to engage in the undertaking, carrying out, or administration of development projects, the provisions of such agreements shall inure to the benefit of and may be enforced by such public body.**

**67.2024. 1. An authority shall not undertake or carry out a sports center redevelopment plan or project unless the city has adopted the sports center redevelopment plan by ordinance. A sports center redevelopment plan shall set forth in writing a general description of the program to be undertaken to accomplish the objectives of such plan and shall include, but need not be limited to, a legal description of the sports center redevelopment area, the estimated project costs, the anticipated sources of funds to pay the project costs, evidence of any commitments to**

**finance the project costs, the anticipated type and term of the sources of funds to pay the project costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the sports center redevelopment area, an estimate as to the equalized assessed valuation of such property after redevelopment, and the general land uses to apply in the sports center redevelopment area.**

**2. No sports center redevelopment plan shall be adopted by a city without a finding by the city that the sports center redevelopment area on the whole is a blighted area or a conservation area.**

**67.2027. 1. Before the adoption of a sports center redevelopment plan the city shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed sports center redevelopment area. At the public hearing any interested person or affected taxing district may file with the city written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The city shall hear and consider all protests, objections, comments, and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Before the conclusion of the hearing, changes may be made in the sports center redevelopment plan, provided that each affected taxing district is given written notice of such changes at least seven days before the conclusion of the hearing. After the public hearing but before the adoption of an ordinance approving a sports center redevelopment plan, changes may be made to the sports center redevelopment plan without a further hearing, if such changes do not enlarge the exterior boundaries of the sports center redevelopment area, and do not substantially affect the general land uses established in the sports center redevelopment plan, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days before the adoption of the changes by ordinance. After the adoption of an ordinance approving a sports center redevelopment plan, no change to the sports center redevelopment plan shall be adopted or approved which alters the exterior boundaries of the sports center redevelopment area, affects the general land uses established pursuant to the sports center redevelopment plan without complying with the procedures provided in this section pertaining to the initial approval of a sports center redevelopment plan or project.**

**2. Notice of the public hearing required by this section shall be given by publication and mailing. Notice by publication shall be given by publication at least**

twice, the first publication to be not more than twenty days and the second publication to be not more than ten days before the hearing, in a newspaper of general circulation in the area of the proposed redevelopment. Notice by mailing shall be given by depositing such notice in the United States mail by certified mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the sports center redevelopment project area. Such notice shall be mailed not less than ten days before the date set for the public hearing. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as the owners of such property.

**3. The notices issued pursuant to this section shall include the following:**

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

**(2) The general boundaries of the proposed sports center redevelopment area by street location, where possible;**

**(3) A statement that all interested persons shall be given an opportunity to be heard at the public hearing;**

**(4) A description of the proposed sports center redevelopment plan, and a location and time where the entire plan may be reviewed by any interested party;**

**(5) Such other matters as the municipality may deem appropriate.**

**4. Not less than twenty days before the date set for the public hearing, the city shall give notice by mail as provided in subsection 2 of this section to all taxing districts from which taxable property is included in the sports center redevelopment area, and in addition to the other requirements pursuant to subsection 2 of this section, the notice shall include an invitation to each taxing district to submit comments to the municipality concerning the subject matter of the hearing before the date of the hearing.**

**5. A copy of any and all hearing notices required by this section shall be submitted by the municipality to the director of the department of economic development of the state. Such submission of the copy of the hearing notice shall comply with the prior notice requirements pursuant to subsection 3 of this section.**

**6. Upon adoption and approval of a sports center redevelopment plan, the city shall forward a copy of such plan, along with a certified copy of any approving ordinances, to the speaker of the house of representatives and the president pro tempore of the senate.**

**67.2030. 1. Obligations may be issued by the authority or any other public body to provide for project costs and other costs of implementing the sports center redevelopment plan, including to refund obligations issued for such purposes. The**

**authority or other public body may pledge all or any part of any funds and revenues available to the authority or such public body from any source, public or private, including any funds in and to be deposited in the special allocation fund, to the payment of the sports center redevelopment project costs and obligations. Any pledge of funds in the special allocation fund may provide for distribution to the applicable other taxing districts of moneys not required for payment of redevelopment costs or obligations and such excess funds shall be deemed to be surplus funds.**

**2. Without limiting the provisions of subsection 1 of this section, the authority or other public body may pledge any part or any combination of the revenues of any sports center redevelopment project, or a mortgage on part or all of the sports center redevelopment project owned by it, to secure its obligations or other redevelopment costs.**

**3. Such obligations may be issued in one or more series bearing interest at such rate or rates as the issuer shall determine. Such obligations shall bear such date or dates, mature at such time or times (not exceeding thirty-five years from their respective dates when secured by the special allocation fund), be in such denominations, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, be subject to redemption and contain such other covenants, terms, and conditions as the ordinance or resolution of the issuer shall provide or authorize. Such obligations may be sold at public or private sale at such price as shall be determined by the issuer and shall state that such obligations are special obligations payable solely from the funds specifically pledged therefor in accordance with sections 67.2000 to 67.2060.**

**4. The obligations shall contain a recital that they are issued pursuant to this section, which recital shall be conclusive evidence of their validity and of the regularity of their issuance.**

**5. No person executing any obligation shall be personally liable for such obligation by reason of the issuance thereof. The obligations issued pursuant to this section shall not be a general obligation of the authority, any municipality, the state of Missouri, or any political subdivision thereof, or any other public body, nor in any event shall such obligation be payable out of any funds or properties other than those specifically pledged as security therefor. The obligations shall not constitute indebtedness within the meaning of any constitutional, statutory, or charter debt limitation or restriction.**

**6. The authority or other public body shall have the power to exercise all or any part or combination of the powers herein granted; to make such covenants, other than and in addition to the covenants herein expressly authorized; and to do any and**

**all such acts and things as may be necessary or convenient or desirable in order to secure its obligations, or, in the absolute discretion of said authority or other public body, as will tend to make the obligations more marketable notwithstanding that such covenants, acts, or things may not be enumerated herein.**

**67.2033. 1. Once a sports center redevelopment plan is approved or adopted by the city and the authority in accordance with sections 67.2000 to 67.2060, thereafter, for a period established by the city in the ordinance approving the sports center redevelopment plan or project, not to exceed thirty-five years, economic activity taxes generated within the sports center redevelopment area shall be allocated to and, when collected, paid by the local political subdivision collecting officer to the treasurer or other designated financial officer of the city or other public body who shall deposit such funds into the special allocation fund of the city or other public body for the purposes enumerated in sections 67.2000 to 67.2060, including, but not limited to, the purpose of paying project costs and obligations incurred in connection therewith.**

**2. Subject to annual appropriation, the city or any other public body may provide a fixed annual appropriation beginning not earlier than July of the third calendar year after adoption of the ordinance approving and adopting the sports center redevelopment plan for purposes of providing debt service over not more than thirty years for a debt financing in support of a sports center redevelopment plan, including project costs. On the date of the issuance of the debt, the city's portion of revenues received from naming rights for the stadium, as determined by the city, and subject to any limitations of the Internal Revenue Code for tax-exempt financing, shall be deposited in the city naming rights fund. Available amounts in the city naming rights fund shall be drawn upon by the municipality in the event that the cumulative economic activity taxes from the sports center redevelopment area, measured initially ten years following the issuance of the debt and at five-year intervals thereafter and taking into account any prior payments to the municipality, are less than the cumulative annual appropriations for the applicable period made by the city for the debt service on the financing. Subject to the limitations of the Internal Revenue Code for tax-exempt financing and to the reimbursement of the city for any deficiency in the economic activity taxes, any excess amounts in the city naming rights fund, as determined by the city, shall be used for the benefit of the stadium, in the time and manner specified in and subject to the terms of the redevelopment contracts and related agreements. In the event that the city naming rights fund shall be drawn upon for reimbursement of the city for any deficiency in the economic activity taxes, then the amount in the city naming rights fund shall be restored to the amount required by the city to the extent of any additional revenues**



from naming rights, subject to the limitations of the Internal Revenue Code for tax-exempt financing.

3. Subject to annual appropriation, the state, acting through the Missouri development finance board or such other entity as the state shall deem appropriate, may provide a fixed annual appropriation not to exceed seven million dollars per year beginning not earlier than July of the third calendar year after adoption of the ordinance by the city establishing a sports center redevelopment plan for purposes of providing debt service over not more than thirty years for a debt financing that will provide a net sum not to exceed one hundred million dollars in support of a sports center redevelopment plan, including project costs. Such amount shall be net of all reserves, capitalized interest, and costs of issuance for financing such net amount. On the date of the issuance of the debt, the state's portion of revenues received from naming rights for the stadium, as determined by the state and subject to the limitations of the Internal Revenue Code for tax-exempt financing, shall be deposited in the state naming rights fund. Available amounts in the state naming rights fund shall be drawn upon by the state in the event that the cumulative new state revenues from the sports center redevelopment area, measured initially ten years following the issuance of the debt and at five-year intervals thereafter and taking into account any prior payments to the state, are less than the cumulative annual appropriations for the applicable period made by the state for the debt service on the financing. Subject to the limitations of the Internal Revenue Code for tax-exempt financing and to the reimbursement of the state for any deficiency in the new state revenues, any excess amounts in the state naming rights fund, as determined by the state, shall be used for the benefit of the stadium, in the time and manner specified in and subject to the terms of the redevelopment contracts and related agreements. In the event that the state naming rights fund shall be drawn upon for reimbursement of the state for any deficiency in the new state revenues, then the amount in the state naming rights fund shall be restored to the amount required by the state to the extent of any additional revenues from naming rights, subject to the limitations of the Internal Revenue Code for tax-exempt financing.

4. At the time of issuance of any obligations payable from the state's annual appropriation in accordance with subsection 3 of this section for the purpose of constructing a stadium, and prior to release of any proceeds of such obligations, all additional funds necessary to complete the construction of such stadium shall be deposited into a construction fund by the city, the county and any lessee, redeveloper or sports franchise leasing such stadium.

67.2036. 1. At least once a year, the authority shall file with the municipality,

the state, and any other participating public body a report of its activities for the preceding year, and shall make recommendations with reference to such additional legislation or other action as it deems necessary in order to carry out sections 67.2000 to 67.2060.

2. The authority shall periodically hold a public hearing regarding the sports center redevelopment plan. The purpose of the hearing shall be to determine if the authority is making satisfactory progress under the proposed time schedule for completion of such plan. Notice of such public hearing shall be given in a newspaper of general circulation in the sports center redevelopment area once each week for four weeks immediately before the hearing.

67.2039. 1. When the costs of carrying out a sports center redevelopment plan have been paid, including, but not limited to, all sports center redevelopment project costs and all obligations financing such costs, all surplus funds then remaining in any special allocation fund shall be paid by the treasurer or other designated financial officer of the city or other public body to the applicable taxing districts.

2. Upon the payment of all such sports center redevelopment plan and project costs, retirement of all such obligations, and the distribution of any excess moneys, the city or other public body shall dissolve any special allocation fund for the sports center redevelopment area and cease allocating any economic activity taxes to such fund. Thereafter, the rates of the taxing districts shall be extended and taxes levied, collected, and distributed in the manner applicable in the absence of the adoption of a sports center redevelopment plan.

3. Nothing herein shall be construed as relieving property in the affected areas from paying a uniform rate of taxes, as required by article X, section 3 of the Missouri Constitution.

67.2042. Notwithstanding any other provision to the contrary, with respect to any sports center redevelopment plan approved by any city not within a county, any county of the first classification with a charter form of government and with more than one million inhabitants may annually contribute tax revenues deposited in the county convention and recreation trust fund, or any other general or special fund designated by the county, in support of the sports center redevelopment plan.

67.2045. 1. The income of the authority and all properties at any time owned by the authority shall be exempt from all taxation in the state. For the purposes of section 409.402, RSMo, all bonds and other obligations issued by the authority shall be deemed to be securities issued by a public instrumentality of the state.

2. The authority is hereby declared to be performing a public function and bonds and other obligations of the authority are declared to be issued for an essential

public and governmental purpose and, accordingly, interest thereon and income therefrom shall be exempt from income taxation by the state.

3. The bonds and other obligations of the authority are securities in which all public officers and bodies of the state and all municipalities and municipal subdivisions, all insurance companies and associations and other persons carrying on an insurance business, all banks, trust companies, savings associations, savings and loan associations and investment companies, all administrators, guardians, executors, trustees, and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of the state, may properly and legally invest funds, including capital, in their control or belonging to them.

67.2048. 1. Notwithstanding sections 8.250, 8.285 to 8.291, 8.675 to 8.687, RSMo, and section 107.170, RSMo, the authority and any other public body may establish such systems and procedures for the design, construction, and delivery of a sports center redevelopment project as they shall deem necessary or convenient to carry out and effectuate sections 67.2000 to 67.2060, including the use of the design-build method of construction, the use of a construction manager authorized to provide a guaranteed maximum price for the design and construction of the project, and the use of qualifications-based selection of architects, consultants, contractors, or design-builders, provided that:

(1) Competitive bids are obtained from subcontractors performing construction work on the project;

(2) If a separate performance and payment bond is not required for the construction manager, general contractor, or design-build entity, then all trade work to be performed for the project shall be covered by performance and payment bonds; and

(3) Any detailed design criteria and final working drawings for the project shall be prepared by a licensed architect or engineer.

2. For the purposes of this section, the following terms mean:

(1) "Design-build", a process of entering into and managing a contract between the authority or any other public body or any developer or other participant in a sports center redevelopment project and another party in which the other party agrees to both design and build any structure, facility, or other item included in the project;

(2) "Qualifications-based selection", a process of entering into and managing a contract between the authority or any other public body or any developer or other participant in a sports center redevelopment project and another party in which the

other party is selected on the basis of the party's qualifications and experience in designing or constructing facilities, structures, or other items similar to those the authority is authorized to undertake.

67.2051. The authority shall be deemed to be a political subdivision or instrumentality thereof exempt from taxation pursuant to subdivision (1) of subsection 1 of section 144.062, RSMo, and shall have the authority to issue exemption certificates pursuant to such section.

67.2054. 1. This section shall be referred to as the "Taxpayer Protection Provisions". For the purposes of this section, the following terms mean:

(1) "Lease", any lease, project agreement, or similar agreement pursuant to which a team is leasing or using a stadium;

(2) "Mixed-use facilities", any housing, offices, museums, entertainment venues, retail stores, restaurants, parking, and similar facilities included in a sports center redevelopment plan;

(3) "Sponsor", the state and any city and county which have established an authority; and

(4) "Team", a major league sports team which leases a stadium or is expected to lease a stadium pursuant to a sports center redevelopment plan.

2. The lease shall be for an initial term of at least thirty-five years, and shall include at a minimum substantially the following provisions, which shall apply for the periods, and be subject to such terms, conditions, limitations, and remedies as shall be agreed to by the authority and specified in the lease:

(1) The team shall play its home games at the stadium and shall not relocate outside the boundaries of the city in which the stadium is located;

(2) The team shall make available at least six thousand tickets per regular season home game in the stadium at a price of not more than twelve dollars per ticket in year 2000 dollars;

(3) The team, in conjunction with the sponsors, shall distribute at least one hundred thousand complimentary tickets per year to youth and other charitable organizations;

(4) The team shall contribute at least one hundred thousand dollars per year to the development, construction, or refurbishment of neighborhood recreational facilities that will primarily benefit or serve disadvantaged youth in the city and the county which have established an authority;

(5) The team shall pay all operating and maintenance expenses of the stadium, and shall pay the costs of necessary capital improvements to the stadium in accordance with the terms of the lease;

**(6) In the event of the sale of the team, the team or its owners shall pay to the authority and the sponsors a portion of the sale price which is attributable to the lease and the stadium, calculated in accordance with such formula or criteria as shall be determined by the authority and the sponsors in their sole judgment and agreed to by the team and provided in the redevelopment contract relating to the stadium; and**

**(7) The team shall make payments in lieu of taxes in each year to the city and other taxing districts in which the stadium is located in an amount equal to the amounts of ad valorem property taxes paid in the calendar year immediately preceding the calendar year in which the ordinance was adopted by the city approving the sports center redevelopment plan less the amounts of any ad valorem property taxes paid in each such year to the city and other taxing districts with respect to the stadium, the lease, and the mixed-use facilities.**

**3. The team shall guarantee the acquisition, construction, and equipping of the stadium in accordance with the sports center redevelopment plan, and shall be responsible for paying any cost overruns in connection therewith, subject to such commercially reasonable force majeure provisions as may be agreed to by the authority and the sponsors.**

**4. The team shall provide to the state and the sponsors guarantees or other assurances or undertakings satisfactory to them as to the commencement, acquisition, construction, or equipping of the mixed-use facilities, which shall include aggregate penalties in an amount of one hundred million dollars which penalties shall be payable over the anticipated term of any obligations and in the manner and on such terms and within such times as are prescribed in the sports center redevelopment plan, for the failure to accomplish such commencement acquisition, construction, or equipping of the mixed-use facilities.**

**5. The team and any developer of the stadium shall comply with all applicable federal, state, and local laws and executive orders regarding contracting, hiring, and employment, and shall set a goal for the acquisition, construction, and equipping of the stadium of twenty-five percent for minority-owned business participation and five percent for women-owned business participation.**

**6. The authority shall not issue any obligations payable from an appropriation by the state or any sponsor in support of a stadium included in a sports center redevelopment plan unless such stadium is owned in fee simple title by the authority.**

**7. The authority, as owner of the stadium, shall own the right to name the stadium, subject to the right of the team to approve the name.**

**8. Any stadium constructed with the proceeds of obligations for which the state is providing an annual appropriation pursuant to subsection 3 of section 67.2033 shall**

**contain a luxury suite which is available to the public through a lottery or other fan selection process, as designated by the authority in the stadium lease, which ensures that the public at large has access to such suite for all home games played at the stadium. No rent, fees, or charges of any kind shall apply to the use of such suite.**

**67.2057. Sections 67.2000 to 67.2060 shall be construed liberally to effectuate the purposes hereof. Insofar as sections 67.2000 to 67.2060 are inconsistent with the provisions of any other law, sections 67.2000 to 67.2060 shall be controlling.**

**67.2060. The powers conferred by sections 67.2000 to 67.2060 shall be in addition and supplemental to the powers conferred by any other law.**

T

Unofficial

Bill

Copy