

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SCS/HCS/House Bill No. 1035, Page 3, Section 67.469, Line 11,

by inserting after all of said line the following:

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

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property

1 which is attributable to the initial equalized assessed value of
2 each such taxable lot, block, tract, or parcel of real property
3 in the area selected for the redevelopment project shall be
4 allocated to and, when collected, shall be paid by the county
5 collector to the respective affected taxing districts in the
6 manner required by law in the absence of the adoption of tax
7 increment allocation financing;

8 (2) (a) Payments in lieu of taxes attributable to the
9 increase in the current equalized assessed valuation of each
10 taxable lot, block, tract, or parcel of real property in the area
11 selected for the redevelopment project and any applicable penalty
12 and interest over and above the initial equalized assessed value
13 of each such unit of property in the area selected for the
14 redevelopment project shall be allocated to and, when collected,
15 shall be paid to the municipal treasurer who shall deposit such
16 payment in lieu of taxes into a special fund called the "Special
17 Allocation Fund" of the municipality for the purpose of paying
18 redevelopment costs and obligations incurred in the payment
19 thereof. Payments in lieu of taxes which are due and owing shall
20 constitute a lien against the real estate of the redevelopment
21 project from which they are derived and shall be collected in the
22 same manner as the real property tax, including the assessment of
23 penalties and interest where applicable. The municipality may,
24 in the ordinance, pledge the funds in the special allocation fund
25 for the payment of such costs and obligations and provide for the
26 collection of payments in lieu of taxes, the lien of which may be
27 foreclosed in the same manner as a special assessment lien as
28 provided in section 88.861. No part of the current equalized
29 assessed valuation of each lot, block, tract, or parcel of

1 property in the area selected for the redevelopment project
2 attributable to any increase above the total initial equalized
3 assessed value of such properties shall be used in calculating
4 the general state school aid formula provided for in section
5 163.031 until such time as all redevelopment costs have been paid
6 as provided for in this section and section 99.850;

7 (b) Notwithstanding any provisions of this section to the
8 contrary, for purposes of determining the limitation on
9 indebtedness of local government pursuant to article VI, section
10 26(b) of the Missouri Constitution, the current equalized
11 assessed value of the property in an area selected for
12 redevelopment attributable to the increase above the total
13 initial equalized assessed valuation shall be included in the
14 value of taxable tangible property as shown on the last completed
15 assessment for state or county purposes;

16 (c) The county assessor shall include the current assessed
17 value of all property within the taxing district in the aggregate
18 valuation of assessed property entered upon the assessor's book
19 and verified pursuant to section 137.245, and such value shall be
20 utilized for the purpose of the debt limitation on local
21 government pursuant to article VI, section 26(b) of the Missouri
22 Constitution;

23 (3) For purposes of this section, "levies upon taxable real
24 property in such redevelopment project by taxing districts" shall
25 not include the blind pension fund tax levied under the authority
26 of article III, section 38(b) of the Missouri Constitution, or
27 the merchants' and manufacturers' inventory replacement tax
28 levied under the authority of subsection 2 of section 6 of
29 article X of the Missouri Constitution, except in redevelopment

1 project areas in which tax increment financing has been adopted
2 by ordinance pursuant to a plan approved by vote of the governing
3 body of the municipality taken after August 13, 1982, and before
4 January 1, 1998.

5 2. In addition to the payments in lieu of taxes described
6 in subdivision (2) of subsection 1 of this section, for
7 redevelopment plans and projects adopted or redevelopment
8 projects approved by ordinance after July 12, 1990, and prior to
9 August 31, 1991, fifty percent of the total additional revenue
10 from taxes, penalties and interest imposed by the municipality,
11 or other taxing districts, which are generated by economic
12 activities within the area of the redevelopment project over the
13 amount of such taxes generated by economic activities within the
14 area of the redevelopment project in the calendar year prior to
15 the adoption of the redevelopment project by ordinance, while tax
16 increment financing remains in effect, but excluding taxes
17 imposed on sales or charges for sleeping rooms paid by transient
18 guests of hotels and motels, taxes levied pursuant to section
19 70.500, licenses, fees or special assessments other than payments
20 in lieu of taxes and any penalty and interest thereon, or,
21 effective January 1, 1998, taxes levied pursuant to section
22 94.660, for the purpose of public transportation, shall be
23 allocated to, and paid by the local political subdivision
24 collecting officer to the treasurer or other designated financial
25 officer of the municipality, who shall deposit such funds in a
26 separate segregated account within the special allocation fund.
27 Any provision of an agreement, contract or covenant entered into
28 prior to July 12, 1990, between a municipality and any other
29 political subdivision which provides for an appropriation of

1 other municipal revenues to the special allocation fund shall be
2 and remain enforceable.

3 3. In addition to the payments in lieu of taxes described
4 in subdivision (2) of subsection 1 of this section, for
5 redevelopment plans and projects adopted or redevelopment
6 projects approved by ordinance after August 31, 1991, fifty
7 percent of the total additional revenue from taxes, penalties and
8 interest which are imposed by the municipality or other taxing
9 districts, and which are generated by economic activities within
10 the area of the redevelopment project over the amount of such
11 taxes generated by economic activities within the area of the
12 redevelopment project in the calendar year prior to the adoption
13 of the redevelopment project by ordinance, while tax increment
14 financing remains in effect, but excluding personal property
15 taxes, taxes imposed on sales or charges for sleeping rooms paid
16 by transient guests of hotels and motels, taxes levied pursuant
17 to section 70.500, taxes levied for the purpose of public
18 transportation pursuant to section 94.660, taxes imposed on sales
19 pursuant to subsection 2 of section 67.1712 for the purpose of
20 operating and maintaining a metropolitan park and recreation
21 district, licenses, fees or special assessments other than
22 payments in lieu of taxes and penalties and interest thereon,
23 [or] any sales tax imposed by a county with a charter form of
24 government and with more than six hundred thousand but fewer than
25 seven hundred thousand inhabitants, for the purpose of sports
26 stadium improvement or levied by such county under section
27 238.410 for the purpose of the county transit authority operating
28 transportation facilities, or for redevelopment plans and
29 projects adopted or redevelopment projects approved by ordinance

1 after August 28, 2013, taxes imposed on sales pursuant to section
2 650.399 for the purpose of emergency communication systems, shall
3 be allocated to, and paid by the local political subdivision
4 collecting officer to the treasurer or other designated financial
5 officer of the municipality, who shall deposit such funds in a
6 separate segregated account within the special allocation fund.

7 4. Beginning January 1, 1998, for redevelopment plans and
8 projects adopted or redevelopment projects approved by ordinance
9 and which have complied with subsections 4 to 12 of this section,
10 in addition to the payments in lieu of taxes and economic
11 activity taxes described in subsections 1, 2 and 3 of this
12 section, up to fifty percent of the new state revenues, as
13 defined in subsection 8 of this section, estimated for the
14 businesses within the project area and identified by the
15 municipality in the application required by subsection 10 of this
16 section, over and above the amount of such taxes reported by
17 businesses within the project area as identified by the
18 municipality in their application prior to the approval of the
19 redevelopment project by ordinance, while tax increment financing
20 remains in effect, may be available for appropriation by the
21 general assembly as provided in subsection 10 of this section to
22 the department of economic development supplemental tax increment
23 financing fund, from the general revenue fund, for distribution
24 to the treasurer or other designated financial officer of the
25 municipality with approved plans or projects.

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

1 6. No transfer from the general revenue fund to the
2 Missouri supplemental tax increment financing fund shall be made
3 unless an appropriation is made from the general revenue fund for
4 that purpose. No municipality shall commit any state revenues
5 prior to an appropriation being made for that project. For all
6 redevelopment plans or projects adopted or approved after
7 December 23, 1997, appropriations from the new state revenues
8 shall not be distributed from the Missouri supplemental tax
9 increment financing fund into the special allocation fund unless
10 the municipality's redevelopment plan ensures that one hundred
11 percent of payments in lieu of taxes and fifty percent of
12 economic activity taxes generated by the project shall be used
13 for eligible redevelopment project costs while tax increment
14 financing remains in effect. This account shall be separate from
15 the account into which payments in lieu of taxes are deposited,
16 and separate from the account into which economic activity taxes
17 are deposited.

18 7. In order for the redevelopment plan or project to be
19 eligible to receive the revenue described in subsection 4 of this
20 section, the municipality shall comply with the requirements of
21 subsection 10 of this section prior to the time the project or
22 plan is adopted or approved by ordinance. The director of the
23 department of economic development and the commissioner of the
24 office of administration may waive the requirement that the
25 municipality's application be submitted prior to the
26 redevelopment plan's or project's adoption or the redevelopment
27 plan's or project's approval by ordinance.

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

1 (1) The incremental increase in the general revenue portion
2 of state sales tax revenues received pursuant to section 144.020,
3 excluding sales taxes that are constitutionally dedicated, taxes
4 deposited to the school district trust fund in accordance with
5 section 144.701, sales and use taxes on motor vehicles, trailers,
6 boats and outboard motors and future sales taxes earmarked by
7 law. In no event shall the incremental increase include any
8 amounts attributable to retail sales unless the municipality or
9 authority has proven to the Missouri development finance board
10 and the department of economic development and such entities have
11 made a finding that the sales tax increment attributable to
12 retail sales is from new sources which did not exist in the state
13 during the baseline year. The incremental increase in the
14 general revenue portion of state sales tax revenues for an
15 existing or relocated facility shall be the amount that current
16 state sales tax revenue exceeds the state sales tax revenue in
17 the base year as stated in the redevelopment plan as provided in
18 subsection 10 of this section; or

19 (2) The state income tax withheld on behalf of new
20 employees by the employer pursuant to section 143.221 at the
21 business located within the project as identified by the
22 municipality. The state income tax withholding allowed by this
23 section shall be the municipality's estimate of the amount of
24 state income tax withheld by the employer within the
25 redevelopment area for new employees who fill new jobs directly
26 created by the tax increment financing project.

27 9. Subsection 4 of this section shall apply only to
28 blighted areas located in enterprise zones, pursuant to sections
29 135.200 to 135.256, blighted areas located in federal empowerment

1 zones, or to blighted areas located in central business districts
2 or urban core areas of cities which districts or urban core areas
3 at the time of approval of the project by ordinance, provided
4 that the enterprise zones, federal empowerment zones or blighted
5 areas contained one or more buildings at least fifty years old;
6 and

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

10 (2) Was a historic hotel located in a county of the first
11 classification without a charter form of government with a
12 population according to the most recent federal decennial census
13 in excess of one hundred fifty thousand and containing a portion
14 of a city with a population according to the most recent federal
15 decennial census in excess of three hundred fifty thousand.

16 10. The initial appropriation of up to fifty percent of the
17 new state revenues authorized pursuant to subsections 4 and 5 of
18 this section shall not be made to or distributed by the
19 department of economic development to a municipality until all of
20 the following conditions have been satisfied:

21 (1) The director of the department of economic development
22 or his or her designee and the commissioner of the office of
23 administration or his or her designee have approved a tax
24 increment financing application made by the municipality for the
25 appropriation of the new state revenues. The municipality shall
26 include in the application the following items in addition to the
27 items in section 99.810:

28 (a) The tax increment financing district or redevelopment
29 area, including the businesses identified within the

1 redevelopment area;

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

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

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

13 (e) An affidavit that is signed by the developer or
14 developers attesting that the provisions of subdivision (1) of
15 subsection 1 of section 99.810 have been met and specifying that
16 the redevelopment area would not be reasonably anticipated to be
17 developed without the appropriation of the new state revenues;

18 (f) The cost-benefit analysis required by section 99.810
19 includes a study of the fiscal impact on the state of Missouri;
20 and

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

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

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

29 (j) The three-digit North American Industry Classification

1 System number or numbers characterizing the development project;

2 (k) The estimated development project costs;

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

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

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

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

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

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

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

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

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

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

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

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

4 (x) The average hourly wage to be paid to all current and
5 new employees at the project site, broken down by full-time,
6 part-time, and temporary positions;

7 (y) For project sites located in a metropolitan statistical
8 area, as defined by the federal Office of Management and Budget,
9 the average hourly wage paid to nonmanagerial employees in this
10 state for the industries involved at the project, as established
11 by the United States Bureau of Labor Statistics;

12 (z) For project sites located outside of metropolitan
13 statistical areas, the average weekly wage paid to nonmanagerial
14 employees in the county for industries involved at the project,
15 as established by the United States Department of Commerce;

16 (aa) A list of other community and economic benefits to
17 result from the project;

18 (bb) A list of all development subsidies that any business
19 benefitting from public expenditures in the development area has
20 previously received for the project, and the name of any other
21 granting body from which such subsidies are sought;

22 (cc) A list of all other public investments made or to be
23 made by this state or units of local government to support
24 infrastructure or other needs generated by the project for which
25 the funding pursuant to this section is being sought;

26 (dd) A statement as to whether the development project may
27 reduce employment at any other site, within or without the state,
28 resulting from automation, merger, acquisition, corporate
29 restructuring, relocation, or other business activity;

1 (ee) A statement as to whether or not the project involves
2 the relocation of work from another address and if so, the number
3 of jobs to be relocated and the address from which they are to be
4 relocated;

5 (ff) A list of competing businesses in the county
6 containing the development area and in each contiguous county;

7 (gg) A market study for the development area;

8 (hh) A certification by the chief officer of the applicant
9 as to the accuracy of the development plan;

10 (2) The methodologies used in the application for
11 determining the base year and determining the estimate of the
12 incremental increase in the general revenue portion of the state
13 sales tax revenues or the state income tax withheld by employers
14 on behalf of new employees who fill new jobs created in the
15 redevelopment area shall be approved by the director of the
16 department of economic development or his or her designee and the
17 commissioner of the office of administration or his or her
18 designee. Upon approval of the application, the director of the
19 department of economic development or his or her designee and the
20 commissioner of the office of administration or his or her
21 designee shall issue a certificate of approval. The department
22 of economic development may request the appropriation following
23 application approval;

24 (3) The appropriation shall be either a portion of the
25 estimate of the incremental increase in the general revenue
26 portion of state sales tax revenues in the redevelopment area or
27 a portion of the estimate of the state income tax withheld by the
28 employer on behalf of new employees who fill new jobs created in
29 the redevelopment area as indicated in the municipality's

1 application, approved by the director of the department of
2 economic development or his or her designee and the commissioner
3 of the office of administration or his or her designee. At no
4 time shall the annual amount of the new state revenues approved
5 for disbursements from the Missouri supplemental tax increment
6 financing fund exceed thirty-two million dollars;

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

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

24 12. There is hereby established within the state treasury a
25 special fund to be known as the "Missouri Supplemental Tax
26 Increment Financing Fund", to be administered by the department
27 of economic development. The department shall annually
28 distribute from the Missouri supplemental tax increment financing
29 fund the amount of the new state revenues as appropriated as

1 provided in the provisions of subsections 4 and 5 of this section
2 if and only if the conditions of subsection 10 of this section
3 are met. The fund shall also consist of any gifts,
4 contributions, grants or bequests received from federal, private
5 or other sources. Moneys in the Missouri supplemental tax
6 increment financing fund shall be disbursed per project pursuant
7 to state appropriations.

8 13. Redevelopment project costs may include, at the
9 prerogative of the state, the portion of salaries and expenses of
10 the department of economic development and the department of
11 revenue reasonably allocable to each redevelopment project
12 approved for disbursements from the Missouri supplemental tax
13 increment financing fund for the ongoing administrative functions
14 associated with such redevelopment project. Such amounts shall
15 be recovered from new state revenues deposited into the Missouri
16 supplemental tax increment financing fund created under this
17 section.

18 14. For redevelopment plans or projects approved by
19 ordinance that result in net new jobs from the relocation of a
20 national headquarters from another state to the area of the
21 redevelopment project, the economic activity taxes and new state
22 tax revenues shall not be based on a calculation of the
23 incremental increase in taxes as compared to the base year or
24 prior calendar year for such redevelopment project, rather the
25 incremental increase shall be the amount of total taxes generated
26 from the net new jobs brought in by the national headquarters
27 from another state. In no event shall this subsection be
28 construed to allow a redevelopment project to receive an
29 appropriation in excess of up to fifty percent of the new state

1 revenues."; and

2 Further amend the title and enacting clause accordingly.