

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend _____ Bill No. _____, Page _____, Section _____, Line _____,

2 by inserting after all of said line the following:

3 "67.457. 1. To establish a neighborhood improvement
4 district, the governing body of any city or county shall comply
5 with either of the procedures described in subsection 2 or 3 of
6 this section.

7 2. The governing body of any city or county proposing to
8 create a neighborhood improvement district may by resolution
9 submit the question of creating such district to all qualified
10 voters residing within such district at a general or special
11 election called for that purpose. Such resolution shall set
12 forth the project name for the proposed improvement, the general
13 nature of the proposed improvement, the estimated cost of such
14 improvement, the boundaries of the proposed neighborhood
15 improvement district to be assessed, and the proposed method or
16 methods of assessment of real property within the district,
17 including any provision for the annual assessment of maintenance
18 costs of the improvement in each year during the term of the
19 bonds issued for the original improvement and after such bonds
20 are paid in full. The governing body of the city or county may
21 create a neighborhood improvement district when the question of
22 creating such district has been approved by the vote of the

1 percentage of electors within such district voting thereon that
2 is equal to the percentage of voter approval required for the
3 issuance of general obligation bonds of such city or county under
4 article VI, section 26 of the constitution of this state. The
5 notice of election containing the question of creating a
6 neighborhood improvement district shall contain the project name
7 for the proposed improvement, the general nature of the proposed
8 improvement, the estimated cost of such improvement, the
9 boundaries of the proposed neighborhood improvement district to
10 be assessed, the proposed method or methods of assessment of real
11 property within the district, including any provision for the
12 annual assessment of maintenance costs of the improvement in each
13 year after the bonds issued for the original improvement are paid
14 in full, and a statement that the final cost of such improvement
15 assessed against real property within the district and the amount
16 of general obligation bonds issued therefor shall not exceed the
17 estimated cost of such improvement, as stated in such notice, by
18 more than twenty-five percent, and that the annual assessment for
19 maintenance costs of the improvements shall not exceed the
20 estimated annual maintenance cost, as stated in such notice, by
21 more than twenty-five percent. The ballot upon which the
22 question of creating a neighborhood improvement district is
23 submitted to the qualified voters residing within the proposed
24 district shall contain a question in substantially the following
25 form:

26 Shall (name of city or
27 county) be authorized to create a neighborhood improvement
28 district proposed for the
29 (project name for the proposed improvement) and incur

1 indebtedness and issue general obligation bonds to pay for all or
2 part of the cost of public improvements within such district, the
3 cost of all indebtedness so incurred to be assessed by the
4 governing body of the (city or
5 county) on the real property benefitted by such improvements for
6 a period of years, and, if included in the
7 resolution, an assessment in each year thereafter with the
8 proceeds thereof used solely for maintenance of the improvement?

9 3. As an alternative to the procedure described in
10 subsection 2 of this section, the governing body of a city or
11 county may create a neighborhood improvement district when a
12 proper petition has been signed by the owners of record of at
13 least two-thirds by area of all real property located within such
14 proposed district. Each owner of record of real property located
15 in the proposed district is allowed one signature. Any person,
16 corporation, or limited liability partnership owning more than
17 one parcel of land located in such proposed district shall be
18 allowed only one signature on such petition. The petition, in
19 order to become effective, shall be filed with the city clerk or
20 county clerk. A proper petition for the creation of a
21 neighborhood improvement district shall set forth the project
22 name for the proposed improvement, the general nature of the
23 proposed improvement, the estimated cost of such improvement, the
24 boundaries of the proposed neighborhood improvement district to
25 be assessed, the proposed method or methods of assessment of real
26 property within the district, including any provision for the
27 annual assessment of maintenance costs of the improvement in each
28 year during the term of the bonds issued for the original
29 improvement and after such bonds are paid in full, a notice that

1 the names of the signers may not be withdrawn later than seven
2 days after the petition is filed with the city clerk or county
3 clerk, and a notice that the final cost of such improvement
4 assessed against real property within the district and the amount
5 of general obligation bonds issued therefor shall not exceed the
6 estimated cost of such improvement, as stated in such petition,
7 by more than twenty-five percent, and that the annual assessment
8 for maintenance costs of the improvements shall not exceed the
9 estimated annual maintenance cost, as stated in such petition, by
10 more than twenty-five percent.

11 4. Upon receiving the requisite voter approval at an
12 election or upon the filing of a proper petition with the city
13 clerk or county clerk, the governing body may by resolution or
14 ordinance determine the advisability of the improvement and may
15 order that the district be established and that preliminary plans
16 and specifications for the improvement be made. Such resolution
17 or ordinance shall state and make findings as to the project name
18 for the proposed improvement, the nature of the improvement, the
19 estimated cost of such improvement, the boundaries of the
20 neighborhood improvement district to be assessed, the proposed
21 method or methods of assessment of real property within the
22 district, including any provision for the annual assessment of
23 maintenance costs of the improvement in each year after the bonds
24 issued for the original improvement are paid in full, and shall
25 also state that the final cost of such improvement assessed
26 against the real property within the neighborhood improvement
27 district and the amount of general obligation bonds issued
28 therefor shall not, without a new election or petition, exceed
29 the estimated cost of such improvement by more than twenty-five

1 percent.

2 5. The boundaries of the proposed district shall be
3 described by metes and bounds, streets or other sufficiently
4 specific description. The area of the neighborhood improvement
5 district finally determined by the governing body of the city or
6 county to be assessed may be less than, but shall not exceed, the
7 total area comprising such district.

8 6. In any neighborhood improvement district organized prior
9 to August 28, 1994, an assessment may be levied and collected
10 after the original period approved for assessment of property
11 within the district has expired, with the proceeds thereof used
12 solely for maintenance of the improvement, if the residents of
13 the neighborhood improvement district either vote to assess real
14 property within the district for the maintenance costs in the
15 manner prescribed in subsection 2 of this section or if the
16 owners of two-thirds of the area of all real property located
17 within the district sign a petition for such purpose in the same
18 manner as prescribed in subsection 3 of this section.

19 7. Prior to any assessment hereafter being levied against
20 any real property within any neighborhood improvement district,
21 and prior to any lien enforceable under either chapter 140 or 141
22 being imposed after August 28, 2013 against any real property
23 within a neighborhood improvement district, the clerk of the
24 governing body establishing the neighborhood improvement district
25 shall cause to be recorded with the recorder of deeds for the
26 county in which any portion of the neighborhood improvement
27 district is located, a document conforming to the provisions of
28 sections 59.310 and 59.313, and which shall contain at least the
29 following information:

1 (1) Each owner of record of real property located within
2 the neighborhood improvement district at the time of recording,
3 who shall be identified in the document as grantors and indexed
4 by the recorder pursuant to section 59.440;

5 (2) The governing body establishing the neighborhood
6 improvement district and the title of any official or agency
7 responsible for collecting or enforcing any assessments, who
8 shall be identified in the document as grantees and so indexed by
9 the recorder pursuant to section 59.440;

10 (3) The legal description of the property within the
11 neighborhood improvement district which may either be the metes
12 and bounds description authorized in subsection 5 of this section
13 or the legal description of each lot or parcel within the
14 neighborhood improvement district; and

15 (4) The identifying number of the resolution or ordinance
16 creating the neighborhood improvement district, or a copy of such
17 resolution or ordinance."; and

18 Further amend the title and enacting clause accordingly.