

FIRST REGULAR SESSION

SENATE BILL NO. 228

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOLSMAN.

Read 1st time January 29, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

0738S.02I

AN ACT

To amend chapter 262, RSMo, by adding thereto one new section relating to urban agricultural zones.

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

Section A. Chapter 262, RSMo, is amended by adding thereto one new section, to be known as section 262.900, to read as follows:

262.900. 1. As used in this section, the following terms mean:

(1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed state, that has been produced, processed, or otherwise had value added to it in this state;

(2) "Blighted area", that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;

(3) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(4) "Grower UAZ", a type of UAZ:

(a) That can either grow produce, raise livestock, or produce

22 other value added agricultural products;

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

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

30 (6) "Locally grown", a product that was grown or raised in the
31 same county as the UAZ or in an adjoining county. For a product
32 raised or sold in a city not within a county, "locally grown" includes
33 those counties adjoining a county with a charter form of government
34 and with more than nine hundred fifty thousand inhabitants;

35 (7) "Processing UAZ", a type of UAZ:

36 (a) That processes livestock or poultry for human consumption;

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

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

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

43 (10) "Poultry", any domesticated bird intended for human
44 consumption;

45 (11) "Value added agricultural products", any product or
46 products that are the result of:

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

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

51 (c) An agricultural product grown in this state whose value has
52 been enhanced by special production methods such as organically
53 grown products; or

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

57 (12) "Urban agricultural zone" or "UAZ", a zone that contains the
58 following activities to qualify for the benefits provided under this

59 section:

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

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

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

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

67 (13) "Vending UAZ", a type of UAZ:

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

70 (b) That applies to the department of agriculture for an UAZ
71 vendor license;

72 (c) That is able to accept food stamps under the provisions of the
73 Federal Food Stamp Program as a form of payment.

74 2. (1) A person or organization shall submit to any incorporated
75 municipality an application to develop an UAZ on a blighted area of
76 land. Such application shall demonstrate or identify on the application:

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

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

82 (c) The types of products to be produced (i.e. produce, value
83 added agriculture products, livestock/domesticated animal);

84 (d) If applying for a vending UAZ, the ability to accept food
85 stamps under the provisions of the Federal Food Stamp Program if
86 selling products to consumers.

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

90 (3) Approval of the UAZ by such municipality shall be reviewed
91 five and ten years after the development of the UAZ. After twenty-five
92 years, the UAZ shall dissolve. If the municipality finds during its
93 review that the UAZ is not meeting the requirements set out in this
94 section, the municipality may dissolve the UAZ.

95 3. Once the requirements of this section have been complied

96 with, the real property of the UAZ shall not be subject to assessment or
97 payment of ad valorem taxes on real property imposed by the cities
98 affected by this section, or by the state or any political subdivision
99 thereof, for a period of ten years at which time the property shall then
100 be reassessed. The UAZ shall then pay fifty percent of the assessed
101 value for the next fifteen years. If only a portion of real property is
102 used as an UAZ, then only that portion of real property shall not be
103 subject to assessment or payment of ad valorem taxes on such property.

104 4. If the water services for the UAZ are provided by the
105 municipality, a grower UAZ shall pay wholesale water rates, if
106 available, for the cost of water consumed on the UAZ and shall pay fifty
107 percent of the standard cost to hook onto the water source.

108 5. (1) Any sales tax revenues received from the sale of products
109 sold in the UAZ, excluding sales taxes that are constitutionally
110 dedicated, taxes deposited to the school district trust fund in
111 accordance with section 144.701, sales and use taxes on motor vehicles,
112 trailers, boats, and outboard motors, and future sales taxes earmarked
113 by law, shall be deposited in the urban agricultural zone fund
114 established in subdivision (2) of this subsection. School districts may
115 apply to the state treasurer for money in the fund to be used for the
116 development of curriculum on, or the implementation of, urban farming
117 practices under the guidance of the University of Missouri extension
118 service and a certified vocational agricultural instructor. The funds
119 are to be distributed within the school district in which the UAZ is
120 located.

121 (2) There is hereby created in the state treasury the "Urban
122 Agricultural Zone Fund", which shall consist of money collected under
123 subdivision (1) of this subsection. The state treasurer shall be
124 custodian of the fund. In accordance with sections 30.170 and 30.180,
125 the state treasurer may approve disbursements. The fund shall be a
126 dedicated fund and, upon appropriation, money in the fund shall be
127 used solely for the administration of subdivision (1) of this
128 subsection. Notwithstanding the provisions of section 33.080 to the
129 contrary, any moneys remaining in the fund at the end of the biennium
130 shall not revert to the credit of the general revenue fund. The state
131 treasurer shall invest moneys in the fund in the same manner as other
132 funds are invested. Any interest and moneys earned on such

133 investments shall be credited to the fund.

134 **6. The provisions in this section shall supercede any local**
135 **ordinances to the contrary.**

✓

Unofficial

Bill

Copy