

SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 774

AN ACT

To repeal sections 99.805, 99.820, and 99.825, RSMo,  
and to enact in lieu thereof three new sections  
relating to tax increment financing.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

1           Section A. Sections 99.805, 99.820, and 99.825, RSMo, are  
2 repealed and three new sections enacted in lieu thereof, to be  
3 known as sections 99.805, 99.820, and 99.825, to read as follows:

4           99.805. As used in sections 99.800 to 99.865, unless the  
5 context clearly requires otherwise, the following terms shall  
6 mean:

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

16           (2) "Collecting officer", the officer of the municipality

1 responsible for receiving and processing payments in lieu of  
2 taxes or economic activity taxes from taxpayers or the department  
3 of revenue;

4 (3) "Conservation area", any improved area within the  
5 boundaries of a redevelopment area located within the territorial  
6 limits of a municipality in which fifty percent or more of the  
7 structures in the area have an age of thirty-five years or more.  
8 Such an area is not yet a blighted area but is detrimental to the  
9 public health, safety, morals, or welfare and may become a  
10 blighted area because of any one or more of the following  
11 factors: dilapidation; obsolescence; deterioration; illegal use  
12 of individual structures; presence of structures below minimum  
13 code standards; abandonment; excessive vacancies; overcrowding of  
14 structures and community facilities; lack of ventilation, light  
15 or sanitary facilities; inadequate utilities; excessive land  
16 coverage; deleterious land use or layout; depreciation of  
17 physical maintenance; and lack of community planning. A  
18 conservation area shall meet at least three of the factors  
19 provided in this subdivision for projects approved on or after  
20 December 23, 1997;

21 (4) "Economic activity taxes", the total additional revenue  
22 from taxes which are imposed by a municipality and other taxing  
23 districts, and which are generated by economic activities within  
24 a redevelopment area over the amount of such taxes generated by  
25 economic activities within such redevelopment area in the  
26 calendar year prior to the adoption of the ordinance designating  
27 such a redevelopment area, while tax increment financing remains  
28 in effect, but excluding personal property taxes, taxes imposed

1 on sales or charges for sleeping rooms paid by transient guests  
2 of hotels and motels, licenses, fees or special assessments. For  
3 redevelopment projects or redevelopment plans approved after  
4 December 23, 1997, if a retail establishment relocates within one  
5 year from one facility to another facility within the same county  
6 and the governing body of the municipality finds that the  
7 relocation is a direct beneficiary of tax increment financing,  
8 then for purposes of this definition, the economic activity taxes  
9 generated by the retail establishment shall equal the total  
10 additional revenues from economic activity taxes which are  
11 imposed by a municipality or other taxing district over the  
12 amount of economic activity taxes generated by the retail  
13 establishment in the calendar year prior to its relocation to the  
14 redevelopment area;

15 (5) "Economic development area", any area or portion of an  
16 area located within the territorial limits of a municipality,  
17 which does not meet the requirements of subdivisions (1) and (3)  
18 of this section, and in which the governing body of the  
19 municipality finds that redevelopment will not be solely used for  
20 development of commercial businesses which unfairly compete in  
21 the local economy and is in the public interest because it will:

22 (a) Discourage commerce, industry or manufacturing from  
23 moving their operations to another state; or

24 (b) Result in increased employment in the municipality; or

25 (c) Result in preservation or enhancement of the tax base  
26 of the municipality;

27 (6) "Gambling establishment", an excursion gambling boat as  
28 defined in section 313.800 and any related business facility

1 including any real property improvements which are directly and  
2 solely related to such business facility, whose sole purpose is  
3 to provide goods or services to an excursion gambling boat and  
4 whose majority ownership interest is held by a person licensed to  
5 conduct gambling games on an excursion gambling boat or licensed  
6 to operate an excursion gambling boat as provided in sections  
7 313.800 to 313.850. This subdivision shall be applicable only to  
8 a redevelopment area designated by ordinance adopted after  
9 December 23, 1997;

10 (7) "Greenfield area", any vacant, unimproved, or  
11 agricultural property that is located wholly outside the  
12 incorporated limits of a city, town, or village, or that is  
13 substantially surrounded by contiguous properties with  
14 agricultural zoning classifications or uses unless said property  
15 was annexed into the incorporated limits of a city, town, or  
16 village ten years prior to the adoption of the ordinance  
17 approving the redevelopment plan for such greenfield area;

18 (8) "Municipality", a city, village, or incorporated town  
19 or any county of this state. For redevelopment areas or projects  
20 approved on or after December 23, 1997, "municipality" applies  
21 only to cities, villages, incorporated towns or counties  
22 established for at least one year prior to such date;

23 (9) "Obligations", bonds, loans, debentures, notes, special  
24 certificates, or other evidences of indebtedness issued by a  
25 municipality to carry out a redevelopment project or to refund  
26 outstanding obligations;

27 (10) "Ordinance", an ordinance enacted by the governing  
28 body of a city, town, or village or a county or an order of the

1 governing body of a county whose governing body is not authorized  
2 to enact ordinances;

3 (11) "Payment in lieu of taxes", those estimated revenues  
4 from real property in the area selected for a redevelopment  
5 project, which revenues according to the redevelopment project or  
6 plan are to be used for a private use, which taxing districts  
7 would have received had a municipality not adopted tax increment  
8 allocation financing, and which would result from levies made  
9 after the time of the adoption of tax increment allocation  
10 financing during the time the current equalized value of real  
11 property in the area selected for the redevelopment project  
12 exceeds the total initial equalized value of real property in  
13 such area until the designation is terminated pursuant to  
14 subsection 2 of section 99.850;

15 (12) "Redevelopment area", an area designated by a  
16 municipality, in respect to which the municipality has made a  
17 finding that there exist conditions which cause the area to be  
18 classified as a blighted area, a conservation area, an economic  
19 development area, an enterprise zone pursuant to sections 135.200  
20 to 135.256, or a combination thereof, which area includes only  
21 those parcels of real property directly and substantially  
22 benefitted by the proposed redevelopment project;

23 (13) "Redevelopment plan", the comprehensive program of a  
24 municipality for redevelopment intended by the payment of  
25 redevelopment costs to reduce or eliminate those conditions, the  
26 existence of which qualified the redevelopment area as a blighted  
27 area, conservation area, economic development area, or  
28 combination thereof, and to thereby enhance the tax bases of the

1 taxing districts which extend into the redevelopment area. Each  
2 redevelopment plan shall conform to the requirements of section  
3 99.810;

4 (14) "Redevelopment project", any development project  
5 within a redevelopment area in furtherance of the objectives of  
6 the redevelopment plan; any such redevelopment project shall  
7 include a legal description of the area selected for the  
8 redevelopment project;

9 (15) "Redevelopment project costs" include the sum total of  
10 all reasonable or necessary costs incurred or estimated to be  
11 incurred, and any such costs incidental to a redevelopment plan  
12 or redevelopment project, as applicable. Such costs include, but  
13 are not limited to, the following:

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

15 (b) Professional service costs, including, but not limited  
16 to, architectural, engineering, legal, marketing, financial,  
17 planning or special services. Except the reasonable costs  
18 incurred by the commission established in section 99.820 for the  
19 administration of sections 99.800 to 99.865, such costs shall be  
20 allowed only as an initial expense which, to be recoverable,  
21 shall be included in the costs of a redevelopment plan or  
22 project;

23 (c) Property assembly costs, including, but not limited  
24 to[, ]:

25 a. Acquisition of land and other property, real or  
26 personal, or rights or interests therein[, ] and

27 b. Demolition of buildings, and the clearing and grading of  
28 land;

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

3 (e) Initial costs for an economic development area;

4 (f) Costs of construction of public works or improvements;

5 (g) Financing costs, including, but not limited to, all  
6 necessary and incidental expenses related to the issuance of  
7 obligations, and which may include payment of interest on any  
8 obligations issued pursuant to sections 99.800 to 99.865 accruing  
9 during the estimated period of construction of any redevelopment  
10 project for which such obligations are issued and for not more  
11 than eighteen months thereafter, and including reasonable  
12 reserves related thereto;

13 (h) All or a portion of a taxing district's capital costs  
14 resulting from the redevelopment project necessarily incurred or  
15 to be incurred in furtherance of the objectives of the  
16 redevelopment plan and project, to the extent the municipality by  
17 written agreement accepts and approves such costs;

18 (i) Relocation costs to the extent that a municipality  
19 determines that relocation costs shall be paid or are required to  
20 be paid by federal or state law;

21 (j) Payments in lieu of taxes;

22 (16) "Special allocation fund", the fund of a municipality  
23 or its commission which contains at least two separate segregated  
24 accounts for each redevelopment plan, maintained by the treasurer  
25 of the municipality or the treasurer of the commission into which  
26 payments in lieu of taxes are deposited in one account, and  
27 economic activity taxes and other revenues are deposited in the  
28 other account;

1 (17) "Taxing districts", any political subdivision of this  
2 state having the power to levy taxes;

3 (18) "Taxing districts' capital costs", those costs of  
4 taxing districts for capital improvements that are found by the  
5 municipal governing bodies to be necessary and to directly result  
6 from the redevelopment project; and

7 (19) "Vacant land", any parcel or combination of parcels of  
8 real property not used for industrial, commercial, or residential  
9 buildings.

10 99.820. 1. A municipality may:

11 (1) By ordinance introduced in the governing body of the  
12 municipality within fourteen to ninety days from the completion  
13 of the hearing required in section 99.825, approve redevelopment  
14 plans and redevelopment projects, and designate redevelopment  
15 project areas pursuant to the notice and hearing requirements of  
16 sections 99.800 to 99.865. No redevelopment project shall be  
17 approved unless a redevelopment plan has been approved and a  
18 redevelopment area has been designated prior to or concurrently  
19 with the approval of such redevelopment project and the area  
20 selected for the redevelopment project shall include only those  
21 parcels of real property and improvements thereon directly and  
22 substantially benefitted by the proposed redevelopment project  
23 improvements;

24 (2) Make and enter into all contracts necessary or  
25 incidental to the implementation and furtherance of its  
26 redevelopment plan or project;

27 (3) Pursuant to a redevelopment plan, subject to any  
28 constitutional limitations, acquire by purchase, donation, lease



1 or, as part of a redevelopment project, eminent domain, own,  
2 convey, lease, mortgage, or dispose of land and other property,  
3 real or personal, or rights or interests therein, and grant or  
4 acquire licenses, easements and options with respect thereto, all  
5 in the manner and at such price the municipality or the  
6 commission determines is reasonably necessary to achieve the  
7 objectives of the redevelopment plan. No conveyance, lease,  
8 mortgage, disposition of land or other property, acquired by the  
9 municipality, or agreement relating to the development of the  
10 property shall be made except upon the adoption of an ordinance  
11 by the governing body of the municipality. Each municipality or  
12 its commission shall establish written procedures relating to  
13 bids and proposals for implementation of the redevelopment  
14 projects. Furthermore, no conveyance, lease, mortgage, or other  
15 disposition of land or agreement relating to the development of  
16 property shall be made without making public disclosure of the  
17 terms of the disposition and all bids and proposals made in  
18 response to the municipality's request. Such procedures for  
19 obtaining such bids and proposals shall provide reasonable  
20 opportunity for any person to submit alternative proposals or  
21 bids;

22 (4) Within a redevelopment area, clear any area by  
23 demolition or removal of existing buildings and structures;

24 (5) Within a redevelopment area, renovate, rehabilitate, or  
25 construct any structure or building;

26 (6) Install, repair, construct, reconstruct, or relocate  
27 streets, utilities, and site improvements essential to the  
28 preparation of the redevelopment area for use in accordance with

1 a redevelopment plan;

2 (7) Within a redevelopment area, fix, charge, and collect  
3 fees, rents, and other charges for the use of any building or  
4 property owned or leased by it or any part thereof, or facility  
5 therein;

6 (8) Accept grants, guarantees, and donations of property,  
7 labor, or other things of value from a public or private source  
8 for use within a redevelopment area;

9 (9) Acquire and construct public facilities within a  
10 redevelopment area;

11 (10) Incur redevelopment costs and issue obligations;

12 (11) Make payment in lieu of taxes, or a portion thereof,  
13 to taxing districts;

14 (12) Disburse surplus funds from the special allocation  
15 fund to taxing districts as follows:

16 (a) Such surplus payments in lieu of taxes shall be  
17 distributed to taxing districts within the redevelopment area  
18 which impose ad valorem taxes on a basis that is proportional to  
19 the current collections of revenue which each taxing district  
20 receives from real property in the redevelopment area;

21 (b) Surplus economic activity taxes shall be distributed to  
22 taxing districts in the redevelopment area which impose economic  
23 activity taxes, on a basis that is proportional to the amount of  
24 such economic activity taxes the taxing district would have  
25 received from the redevelopment area had tax increment financing  
26 not been adopted;

27 (c) Surplus revenues, other than payments in lieu of taxes  
28 and economic activity taxes, deposited in the special allocation

1 fund, shall be distributed on a basis that is proportional to the  
2 total receipt of such other revenues in such account in the year  
3 prior to disbursement;

4 (13) If any member of the governing body of the  
5 municipality, a member of a commission established pursuant to  
6 subsection 2 or 3 of this section, or an employee or consultant  
7 of the municipality, involved in the planning and preparation of  
8 a redevelopment plan, or redevelopment project for a  
9 redevelopment area or proposed redevelopment area, owns or  
10 controls an interest, direct or indirect, in any property  
11 included in any redevelopment area, or proposed redevelopment  
12 area, which property is designated to be acquired or improved  
13 pursuant to a redevelopment project, he or she shall disclose the  
14 same in writing to the clerk of the municipality, and shall also  
15 so disclose the dates, terms, and conditions of any disposition  
16 of any such interest, which disclosures shall be acknowledged by  
17 the governing body of the municipality and entered upon the  
18 minutes books of the governing body of the municipality. If an  
19 individual holds such an interest, then that individual shall  
20 refrain from any further official involvement in regard to such  
21 redevelopment plan, redevelopment project or redevelopment area,  
22 from voting on any matter pertaining to such redevelopment plan,  
23 redevelopment project or redevelopment area, or communicating  
24 with other members concerning any matter pertaining to that  
25 redevelopment plan, redevelopment project or redevelopment area.  
26 Furthermore, no such member or employee shall acquire any  
27 interest, direct or indirect, in any property in a redevelopment  
28 area or proposed redevelopment area after either (a) such

1 individual obtains knowledge of such plan or project, or (b)  
2 first public notice of such plan, project or area pursuant to  
3 section 99.830, whichever first occurs;

4 (14) Charge as a redevelopment cost the reasonable costs  
5 incurred by its clerk or other official in administering the  
6 redevelopment project. The charge for the clerk's or other  
7 official's costs shall be determined by the municipality based on  
8 a recommendation from the commission, created pursuant to this  
9 section.

10 2. Prior to adoption of an ordinance approving the  
11 designation of a redevelopment area or approving a redevelopment  
12 plan or redevelopment project, the municipality shall create a  
13 commission of nine persons if the municipality is a county or a  
14 city not within a county and not a first class county with a  
15 charter form of government with a population in excess of nine  
16 hundred thousand, and eleven persons if the municipality is not a  
17 county and not in a first class county with a charter form of  
18 government having a population of more than nine hundred  
19 thousand, and twelve persons if the municipality is located in or  
20 is a first class county with a charter form of government having  
21 a population of more than nine hundred thousand, to be appointed  
22 as follows:

23 (1) In all municipalities two members shall be appointed by  
24 the school boards whose districts are included within the  
25 redevelopment plan or redevelopment area. Such members shall be  
26 appointed in any manner agreed upon by the affected districts;

27 (2) In all municipalities one member shall be appointed, in  
28 any manner agreed upon by the affected districts, to represent

1 all other districts levying ad valorem taxes within the area  
2 selected for a redevelopment project or the redevelopment area,  
3 excluding representatives of the governing body of the  
4 municipality;

5 (3) In all municipalities six members shall be appointed by  
6 the chief elected officer of the municipality, with the consent  
7 of the majority of the governing body of the municipality;

8 (4) In all municipalities which are not counties and not in  
9 a first class county with a charter form of government having a  
10 population in excess of nine hundred thousand, two members shall  
11 be appointed by the county of such municipality in the same  
12 manner as members are appointed in subdivision (3) of this  
13 subsection;

14 (5) In a municipality which is a county with a charter form  
15 of government having a population in excess of nine hundred  
16 thousand, three members shall be appointed by the cities in the  
17 county which have tax increment financing districts in a manner  
18 in which the cities shall agree;

19 (6) In a municipality which is located in the first class  
20 county with a charter form of government having a population in  
21 excess of nine hundred thousand, three members shall be appointed  
22 by the county of such municipality in the same manner as members  
23 are appointed in subdivision (3) of this subsection;

24 (7) At the option of the members appointed by the  
25 municipality, the members who are appointed by the school boards  
26 and other taxing districts may serve on the commission for a term  
27 to coincide with the length of time a redevelopment project,  
28 redevelopment plan or designation of a redevelopment area is

1 considered for approval by the commission, or for a definite term  
2 pursuant to this subdivision. If the members representing school  
3 districts and other taxing districts are appointed for a term  
4 coinciding with the length of time a redevelopment project, plan  
5 or area is approved, such term shall terminate upon final  
6 approval of the project, plan or designation of the area by the  
7 governing body of the municipality. Thereafter the commission  
8 shall consist of the six members appointed by the municipality,  
9 except that members representing school boards and other taxing  
10 districts shall be appointed as provided in this section prior to  
11 any amendments to any redevelopment plans, redevelopment projects  
12 or designation of a redevelopment area. If any school district  
13 or other taxing jurisdiction fails to appoint members of the  
14 commission within thirty days of receipt of written notice of a  
15 proposed redevelopment plan, redevelopment project or designation  
16 of a redevelopment area, the remaining members may proceed to  
17 exercise the power of the commission. Of the members first  
18 appointed by the municipality, two shall be designated to serve  
19 for terms of two years, two shall be designated to serve for a  
20 term of three years and two shall be designated to serve for a  
21 term of four years from the date of such initial appointments.  
22 Thereafter, the members appointed by the municipality shall serve  
23 for a term of four years, except that all vacancies shall be  
24 filled for unexpired terms in the same manner as were the  
25 original appointments. Members appointed by the county executive  
26 or presiding commissioner prior to August 28, 2008, shall  
27 continue their service on the commission established in  
28 subsection 3 of this section without further appointment unless

1 the county executive or presiding commissioner appoints a new  
2 member or members.

3 3. Beginning August 28, 2008:

4 (1) In lieu of a commission created under subsection 2 of  
5 this section, any city, town, or village in a county with a  
6 charter form of government and with more than one million  
7 inhabitants, in a county with a charter form of government and  
8 with more than two hundred fifty thousand but fewer than three  
9 hundred fifty thousand inhabitants, or in a county of the first  
10 classification with more than one hundred eighty-five thousand  
11 but fewer than two hundred thousand inhabitants shall, prior to  
12 adoption of an ordinance approving the designation of a  
13 redevelopment area or approving a redevelopment plan or  
14 redevelopment project, create a commission consisting of twelve  
15 persons to be appointed as follows:

16 (a) Six members appointed either by the county executive or  
17 presiding commissioner; notwithstanding any provision of law to  
18 the contrary, no approval by the county's governing body shall be  
19 required;

20 (b) Three members appointed by the cities, towns, or  
21 villages in the county which have tax increment financing  
22 districts in a manner in which the chief elected officials of  
23 such cities, towns, or villages agree;

24 (c) Two members appointed by the school boards whose  
25 districts are included in the county in a manner in which the  
26 school boards agree; and

27 (d) One member to represent all other districts levying ad  
28 valorem taxes in the proposed redevelopment area in a manner in

1 which all such districts agree.

2  
3 No city, town, or village subject to this subsection shall create  
4 or maintain a commission under subsection 2 of this section,  
5 except as necessary to complete a public hearing for which notice  
6 under section 99.830 has been provided prior to August 28, 2008,  
7 and to vote or make recommendations relating to redevelopment  
8 plans, redevelopment projects, or designation of redevelopment  
9 areas, or amendments thereto that were the subject of such public  
10 hearing;

11 (2) Members appointed to the commission created under this  
12 subsection, except those six members appointed by either the  
13 county executive or presiding commissioner, shall serve on the  
14 commission for a term to coincide with the length of time a  
15 redevelopment project, redevelopment plan, or designation of a  
16 redevelopment area is considered for approval by the commission.  
17 The six members appointed by either the county executive or the  
18 presiding commissioner shall serve on all such commissions until  
19 replaced. The city, town, or village that creates a commission  
20 under this subsection shall send notice thereof by certified mail  
21 to the county executive or presiding commissioner, to the school  
22 districts whose boundaries include any portion of the proposed  
23 redevelopment area, and to the other taxing districts whose  
24 boundaries include any portion of the proposed redevelopment  
25 area. The city, town, or village that creates the commission  
26 shall also be solely responsible for notifying all other cities,  
27 towns, and villages in the county that have tax increment  
28 financing districts and shall exercise all administrative



1 functions of the commission. The school districts receiving  
2 notice from the city, town, or village shall be solely  
3 responsible for notifying the other school districts within the  
4 county of the formation of the commission. If the county, school  
5 board, or other taxing district fails to appoint members to the  
6 commission within thirty days after the city, town, or village  
7 sends the written notice, as provided herein, that it has  
8 convened such a commission or within thirty days of the  
9 expiration of any such member's term, the remaining duly  
10 appointed members of the commission may exercise the full powers  
11 of the commission.

12 4. (1) Any commission created under this section, subject  
13 to approval of the governing body of the municipality, may  
14 exercise the powers enumerated in sections 99.800 to 99.865,  
15 except final approval of plans, projects and designation of  
16 redevelopment areas. The commission shall hold public hearings  
17 and provide notice pursuant to sections 99.825 and 99.830.

18 (2) Any commission created under subsection 2 of this  
19 section shall vote on all proposed redevelopment plans,  
20 redevelopment projects and designations of redevelopment areas,  
21 and amendments thereto, within thirty days following completion  
22 of the hearing on any such plan, project or designation and shall  
23 make recommendations to the governing body within ninety days of  
24 the hearing referred to in section 99.825 concerning the adoption  
25 of or amendment to redevelopment plans and redevelopment projects  
26 and the designation of redevelopment areas. The requirements of  
27 subsection 2 of this section and this subsection shall not apply  
28 to redevelopment projects upon which the required hearings have

1     been duly held prior to August 31, 1991.

2           (3) Any commission created under subsection 3 of this  
3     section shall, within fifteen days of the receipt of a  
4     redevelopment plan meeting the minimum requirements of section  
5     99.810, as determined by counsel to the city, town, or village  
6     creating the commission and a request by the applicable city,  
7     town, or village for a public hearing, fix a time and place for  
8     the public hearing referred to in section 99.825. The public  
9     hearing shall be held no later than seventy-five days from the  
10    commission's receipt of such redevelopment plan and request for  
11    public hearing. The commission shall vote and make  
12    recommendations to the governing body of the city, town, or  
13    village requesting the public hearing on all proposed  
14    redevelopment plans, redevelopment projects, and designations of  
15    redevelopment areas, and amendments thereto within thirty days  
16    following the completion of the public hearing. A recommendation  
17   of approval shall only be deemed to occur if a majority of the  
18   commissioners voting on such plan, project, designation, or  
19   amendment thereto vote for approval. A tied vote shall be  
20   considered a recommendation in opposition. If the commission  
21    fails to vote within thirty days following the completion of the  
22    public hearing referred to in section 99.825 concerning the  
23    proposed redevelopment plan, redevelopment project, or  
24    designation of redevelopment area, or amendments thereto, such  
25    plan, project, designation, or amendment thereto shall be deemed  
26    rejected by the commission.

27           99.825. 1. Prior to the adoption of an ordinance proposing  
28    the designation of a redevelopment area, or approving a

1 redevelopment plan or redevelopment project, the commission shall  
2 fix a time and place for a public hearing as required in  
3 subsection 4 of section 99.820 and notify each taxing district  
4 located wholly or partially within the boundaries of the proposed  
5 redevelopment area, plan or project. At the public hearing any  
6 interested person or affected taxing district may file with the  
7 commission written objections to, or comments on, and may be  
8 heard orally in respect to, any issues embodied in the notice.  
9 The commission shall hear and consider all protests, objections,  
10 comments and other evidence presented at the hearing. The  
11 hearing may be continued to another date without further notice  
12 other than a motion to be entered upon the minutes fixing the  
13 time and place of the subsequent hearing; provided, if the  
14 commission is created under subsection 3 of section 99.820, the  
15 hearing shall not be continued for more than thirty days beyond  
16 the date on which it is originally opened unless such longer  
17 period is requested by the chief elected official of the  
18 municipality creating the commission and approved by a majority  
19 of the commission. Prior to the conclusion of the hearing,  
20 changes may be made in the redevelopment plan, redevelopment  
21 project, or redevelopment area, provided that each affected  
22 taxing district is given written notice of such changes at least  
23 seven days prior to the conclusion of the hearing. After the  
24 public hearing but prior to the adoption of an ordinance  
25 approving a redevelopment plan or redevelopment project, or  
26 designating a redevelopment area, changes may be made to the  
27 redevelopment plan, redevelopment projects or redevelopment areas  
28 without a further hearing, if such changes do not enlarge the

1 exterior boundaries of the redevelopment area or areas, and do  
2 not substantially affect the general land uses established in the  
3 redevelopment plan or substantially change the nature of the  
4 redevelopment projects, provided that notice of such changes  
5 shall be given by mail to each affected taxing district and by  
6 publication in a newspaper of general circulation in the area of  
7 the proposed redevelopment not less than ten days prior to the  
8 adoption of the changes by ordinance. After the adoption of an  
9 ordinance approving a redevelopment plan or redevelopment  
10 project, or designating a redevelopment area, no ordinance shall  
11 be adopted altering the exterior boundaries, affecting the  
12 general land uses established pursuant to the redevelopment plan  
13 or changing the nature of the redevelopment project without  
14 complying with the procedures provided in this section pertaining  
15 to the initial approval of a redevelopment plan or redevelopment  
16 project and designation of a redevelopment area. Hearings with  
17 regard to a redevelopment project, redevelopment area, or  
18 redevelopment plan may be held simultaneously.

19 2. [Effective January 1, 2008,] If, after concluding the  
20 hearing required under this section, the commission makes a  
21 recommendation under section 99.820 in opposition to a proposed  
22 redevelopment plan, redevelopment project, or designation of a  
23 redevelopment area, or any amendments thereto, a municipality  
24 desiring to approve such project, plan, designation, or  
25 amendments shall do so only upon a two-thirds majority vote of  
26 the governing body of such municipality. For plans, projects,  
27 designations, or amendments approved by a municipality over the  
28 recommendation in opposition by the commission formed under

1 subsection 3 of section 99.820, the economic activity taxes and  
2 payments in lieu of taxes generated by such plan, project,  
3 designation, or amendment shall not exceed the costs associated  
4 with those contained in subparagraph b of paragraph (c) of  
5 subdivision (15) of section 99.805 per redevelopment project.

6 3. Tax incremental financing projects within an economic  
7 development area shall apply to and fund only the following  
8 infrastructure projects: highways, roads, streets, bridges,  
9 sewers, traffic control systems and devices, water distribution  
10 and supply systems, curbing, sidewalks and any other similar  
11 public improvements, but in no case shall it include buildings.