

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 859

AN ACT

To repeal sections 99.805, 99.810, 99.843, 99.848, 100.050, 100.059, and 353.110, RSMo, and to enact in lieu thereof seven new sections relating to tax increment financing.

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

1 Section A. Sections 99.805, 99.810, 99.843, 99.848,
2 100.050, 100.059, and 353.110, RSMo, are repealed and seven new
3 sections enacted in lieu thereof, to be known as sections 99.805,
4 99.810, 99.843, 99.848, 100.050, 100.059, and 353.110, to read as
5 follows:

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

9 (1) "Blighted area", an area which, by reason of the
10 predominance of [defective or inadequate street layout,]
11 insanitary or unsafe conditions, [deterioration of site
12 improvements, improper subdivision or obsolete platting,] or the
13 existence of conditions which endanger life or property by fire
14 and other causes, or any combination of such factors, retards the
15 provision of housing accommodations or constitutes an economic or

1 social liability or a menace to the public health, safety,
2 [morals,] or welfare in its present condition and use;

3 (2) "Collecting officer", the officer of the municipality
4 responsible for receiving and processing payments in lieu of
5 taxes or economic activity taxes from taxpayers or the department
6 of revenue;

7 (3) "Conservation area", any improved area within the
8 boundaries of a redevelopment area located within the territorial
9 limits of a municipality in which fifty percent or more of the
10 structures in the area have an age of thirty-five years or more.
11 Such an area is not yet a blighted area but is detrimental to the
12 public health, safety, morals, or welfare and may become a
13 blighted area because of any one or more of the following
14 factors: dilapidation; obsolescence; deterioration; illegal use
15 of individual structures; presence of structures below minimum
16 code standards; abandonment; excessive vacancies; overcrowding of
17 structures and community facilities; lack of ventilation, light
18 or sanitary facilities; inadequate utilities; excessive land
19 coverage; deleterious land use or layout; depreciation of
20 physical maintenance; and lack of community planning. A
21 conservation area shall meet at least three of the factors
22 provided in this subdivision for projects approved on or after
23 December 23, 1997. For all redevelopment plans and projects
24 approved on or after January 1, 2020, in retail areas, a
25 conservation area shall meet the dilapidation standard as one of
26 the three factors required under this subdivision;

27 (4) "Economic activity taxes", the total additional revenue
28 from taxes which are imposed by a municipality and other taxing

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

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

28 (a) Discourage commerce, industry or manufacturing from

1 moving their operations to another state; or

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

3 (c) Result in preservation or enhancement of the tax base
4 of the municipality;

5 (6) "Gambling establishment", an excursion gambling boat as
6 defined in section 313.800 and any related business facility
7 including any real property improvements which are directly and
8 solely related to such business facility, whose sole purpose is
9 to provide goods or services to an excursion gambling boat and
10 whose majority ownership interest is held by a person licensed to
11 conduct gambling games on an excursion gambling boat or licensed
12 to operate an excursion gambling boat as provided in sections
13 313.800 to 313.850. This subdivision shall be applicable only to
14 a redevelopment area designated by ordinance adopted after
15 December 23, 1997;

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

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

1 (9) "Obligations", bonds, loans, debentures, notes, special
2 certificates, or other evidences of indebtedness issued by a
3 municipality to carry out a redevelopment project or to refund
4 outstanding obligations;

5 (10) "Ordinance", an ordinance enacted by the governing
6 body of a city, town, or village or a county or an order of the
7 governing body of a county whose governing body is not authorized
8 to enact ordinances;

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

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

1 (13) "Redevelopment plan", the comprehensive program of a
2 municipality for redevelopment intended by the payment of
3 redevelopment costs to reduce or eliminate those conditions, the
4 existence of which qualified the redevelopment area as a blighted
5 area, conservation area, economic development area, or
6 combination thereof, and to thereby enhance the tax bases of the
7 taxing districts which extend into the redevelopment area. Each
8 redevelopment plan shall conform to the requirements of section
9 99.810;

10 (14) "Redevelopment project", any development project
11 within a redevelopment area in furtherance of the objectives of
12 the redevelopment plan; any such redevelopment project shall
13 include a legal description of the area selected for the
14 redevelopment project;

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

20 (a) Costs of studies, surveys, plans, and specifications;
21 (b) Professional service costs, including, but not limited
22 to, architectural, engineering, legal, marketing, financial,
23 planning or special services. Except the reasonable costs
24 incurred by the commission established in section 99.820 for the
25 administration of sections 99.800 to 99.865, such costs shall be
26 allowed only as an initial expense which, to be recoverable,
27 shall be included in the costs of a redevelopment plan or
28 project;

(c) Property assembly costs, including, but not limited to:

- a. Acquisition of land and other property, real or personal, or rights or interests therein;
- b. Demolition of buildings; and
- c. The clearing and grading of land;

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

(e) Initial costs for an economic development area;

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

(g) 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 pursuant to sections 99.800 to 99.865 accruing during the estimated period of construction of any redevelopment project for which such obligations are issued and for not more than eighteen months thereafter, and including reasonable reserves related thereto;

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

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

(j) Payments in lieu of taxes;

(16) "Retail area", a proposed redevelopment area for which most of the projected tax increment financing revenue will be

1 generated from retail businesses, which shall be businesses that
2 primarily sell or offer to sell goods to a buyer primarily for
3 the buyer's personal, family, or household use and not primarily
4 for business, commercial, or agricultural use;

5 (17) "Retail infrastructure projects", highways, roads,
6 streets, bridges, sewers, traffic control systems and devices,
7 water distribution and supply systems, curbing, sidewalks, storm
8 water and drainage systems, and any other similar public
9 improvements, but in no case shall retail infrastructure projects
10 include buildings;

11 (18) "Special allocation fund", the fund of a municipality
12 or its commission which contains at least two separate segregated
13 accounts for each redevelopment plan, maintained by the treasurer
14 of the municipality or the treasurer of the commission into which
15 payments in lieu of taxes are deposited in one account, and
16 economic activity taxes and other revenues are deposited in the
17 other account;

18 ~~[(17)]~~ (19) "Taxing districts", any political subdivision
19 of this state having the power to levy taxes;

20 ~~[(18)]~~ (20) "Taxing districts' capital costs", those costs
21 of taxing districts for capital improvements that are found by
22 the municipal governing bodies to be necessary and to directly
23 result from the redevelopment project; and

24 ~~[(19)]~~ (21) "Vacant land", any parcel or combination of
25 parcels of real property not used for industrial, commercial, or
26 residential buildings.

27 99.810. 1. Each redevelopment plan shall set forth in
28 writing a general description of the program to be undertaken to

1 accomplish the objectives and shall include, but need not be
2 limited to, the estimated redevelopment project costs, the
3 anticipated sources of funds to pay the costs, evidence of the
4 commitments to finance the project costs, the anticipated type
5 and term of the sources of funds to pay costs, the anticipated
6 type and terms of the obligations to be issued, the most recent
7 equalized assessed valuation of the property within the
8 redevelopment area which is to be subjected to payments in lieu
9 of taxes and economic activity taxes pursuant to section 99.845,
10 an estimate as to the equalized assessed valuation after
11 redevelopment, and the general land uses to apply in the
12 redevelopment area. No redevelopment plan shall be adopted by a
13 municipality without findings that:

14 (1) The redevelopment area on the whole is a blighted area,
15 a conservation area, or an economic development area, and has not
16 been subject to growth and development through investment by
17 private enterprise and would not reasonably be anticipated to be
18 developed without the adoption of tax increment financing. Such
19 a finding shall include, but not be limited to, a study conducted
20 by a party other than the proponent of a redeveloped plan, which
21 includes a detailed description of the factors that qualify the
22 redevelopment area or project pursuant to this subdivision and an
23 affidavit, signed by the developer or developers and submitted
24 with the redevelopment plan, attesting that the provisions of
25 this subdivision have been met;

26 (2) The redevelopment plan conforms to the comprehensive
27 plan for the development of the municipality as a whole;

28 (3) The estimated dates, which shall not be more than

1 twenty-three years from the adoption of the ordinance approving a
2 redevelopment project within a redevelopment area, of completion
3 of any redevelopment project and retirement of obligations
4 incurred to finance redevelopment project costs have been stated,
5 provided that no ordinance approving a redevelopment project
6 shall be adopted later than ten years from the adoption of the
7 ordinance approving the redevelopment plan under which such
8 project is authorized and provided that no property for a
9 redevelopment project shall be acquired by eminent domain later
10 than five years from the adoption of the ordinance approving such
11 redevelopment project;

12 (4) A plan has been developed for relocation assistance for
13 businesses and residences;

14 (5) A cost-benefit analysis showing the economic impact of
15 the plan on each taxing district which is at least partially
16 within the boundaries of the redevelopment area. The analysis
17 shall show the impact on the economy if the project is not built,
18 and is built pursuant to the redevelopment plan under
19 consideration. The cost-benefit analysis shall include a fiscal
20 impact study on every affected political subdivision, and
21 sufficient information from the developer for the commission
22 established in section 99.820 to evaluate whether the project as
23 proposed is financially feasible;

24 (6) A finding that the plan does not include the initial
25 development or redevelopment of any gambling establishment,
26 provided however, that this subdivision shall be applicable only
27 to a redevelopment plan adopted for a redevelopment area
28 designated by ordinance after December 23, 1997.

1 2. Tax increment allocation financing shall not be adopted
2 under sections 99.800 to 99.866 in a retail area unless such
3 financing is exclusively utilized to fund retail infrastructure
4 projects or unless such area is a blighted area or conservation
5 area. The provisions of this subsection shall not apply to any
6 tax increment allocation financing project or plan approved
7 before August 28, 2018, nor any amendment to tax increment
8 allocation financing projects and plans approved before August
9 28, 2018, provided that such an amendment does not add buildings
10 of new construction in excess of twenty-five percent of the scope
11 of the original redevelopment agreement.

12 3. By the last day of February each year, each commission
13 shall report to the director of economic development the name,
14 address, phone number and primary line of business of any
15 business which relocates to the district. The director of the
16 department of economic development shall compile and report the
17 same to the governor, the speaker of the house and the president
18 pro tempore of the senate on the last day of April each year.

19 99.843. Notwithstanding the provisions of sections 99.800
20 to 99.865 to the contrary, no new tax increment financing project
21 shall be authorized in any greenfield area, as such term is
22 defined in section 99.805[, that is located within a city not
23 within a county or any county subject to the authority of the
24 East-West Gateway Council of Governments. Municipalities not
25 subject to the authority of the East-West Gateway Council of
26 Governments may authorize tax increment finance projects in
27 greenfield areas].

28 99.848. 1. Notwithstanding subsection 1 of section

1 ~~[99.847]~~ 99.845, any district or county imposing a property tax
2 for the purposes of providing emergency services pursuant to
3 chapter 190 or 321 shall be entitled to reimbursement from the
4 special allocation fund in the amount of at least fifty percent
5 ~~[nor]~~ but not more than one hundred percent of the district's tax
6 increment. This section shall not apply to tax increment
7 financing projects or districts approved prior to August 28,
8 2004.

9 2. Beginning August 28, 2018, an ambulance district board
10 operating under chapter 190, a fire protection district board
11 operating under chapter 321, or the governing body of a county
12 operating a 911 center providing emergency or dispatch services
13 under chapter 190 or chapter 321 shall annually set the
14 reimbursement rate under subsection 1 of this section prior to
15 the time the assessment is paid into the special allocation fund.
16 If the redevelopment plan, area, or project is amended by
17 ordinance or by other means after August 28, 2018, the ambulance
18 or fire protection district board or the governing body of a
19 county operating a 911 center providing emergency or dispatch
20 services under chapter 190 or chapter 321 shall have the right to
21 recalculate the reimbursement rate under this section.

22 100.050. 1. Any municipality proposing to carry out a
23 project for industrial development shall first, by majority vote
24 of the governing body of the municipality, approve the plan for
25 the project. The plan shall include the following information
26 pertaining to the proposed project:

- 27 (1) A description of the project;
28 (2) An estimate of the cost of the project;

1 (3) A statement of the source of funds to be expended for
2 the project;

3 (4) A statement of the terms upon which the facilities to
4 be provided by the project are to be leased or otherwise disposed
5 of by the municipality; and

6 (5) Such other information necessary to meet the
7 requirements of sections 100.010 to 100.200.

8 2. If the plan for the project is approved after August 28,
9 2003, and the project plan involves issuance of revenue bonds or
10 involves conveyance of a fee interest in property to a
11 municipality, the project plan shall additionally include the
12 following information:

13 (1) A statement identifying each school district, community
14 college district, ambulance district board operating under
15 chapter 190, fire protection district board operating under
16 chapter 321, county, or city affected by such project except
17 property assessed by the state tax commission pursuant to
18 chapters 151 and 153;

19 (2) The most recent equalized assessed valuation of the
20 real property and personal property included in the project, and
21 an estimate as to the equalized assessed valuation of real
22 property and personal property included in the project after
23 development;

24 (3) An analysis of the costs and benefits of the project on
25 each school district, community college district, ambulance
26 district board operating under chapter 190, fire protection
27 district board operating under chapter 321, county, or city; and

28 (4) Identification of any payments in lieu of taxes

1 expected to be made by any lessee of the project, and the
2 disposition of any such payments by the municipality.

3 3. If the plan for the project is approved after August 28,
4 2003, any payments in lieu of taxes expected to be made by any
5 lessee of the project shall be applied in accordance with this
6 section. The lessee may reimburse the municipality for its
7 actual costs of issuing the bonds and administering the plan.
8 All amounts paid in excess of such actual costs shall,
9 immediately upon receipt thereof, be disbursed by the
10 municipality's treasurer or other financial officer to each
11 school district, community college district, ambulance district
12 board operating under chapter 190, fire protection district board
13 operating under chapter 321, county, or city in proportion to the
14 current ad valorem tax levy of each school district, community
15 college district, ambulance district board operating under
16 chapter 190, fire protection district board operating under
17 chapter 321, county, or city; however, in any county of the first
18 classification with more than ninety-three thousand eight hundred
19 but fewer than ninety-three thousand nine hundred inhabitants, or
20 any county of the first classification with more than one hundred
21 thirty-five thousand four hundred but fewer than one hundred
22 thirty-five thousand five hundred inhabitants, if the plan for
23 the project is approved after May 15, 2005, such amounts shall be
24 disbursed by the municipality's treasurer or other financial
25 officer to each affected taxing entity in proportion to the
26 current ad valorem tax levy of each affected taxing entity.

27 4. Notwithstanding the provisions of subsection 3 of this
28 section to the contrary, beginning August 28, 2018, any district

1 or county imposing a property tax for the purposes of providing
2 emergency services under chapter 190 or 321 to the project area
3 shall be entitled to be reimbursed in an amount that is at least
4 fifty percent but not more than one hundred percent of the amount
5 of ad valorem property tax revenues that such district or county
6 would have received in the absence of a tax abatement or
7 exemption provided to property included in the project. An
8 ambulance district board operating under chapter 190, a fire
9 protection district board operating under chapter 321, or the
10 governing body of a county operating a 911 center providing
11 emergency or dispatch services under chapter 190 or chapter 321
12 shall annually set the reimbursement rate provided in this
13 subsection prior to the time the assessment is determined by the
14 assessor of the county in which the project is located, or, if
15 not located within a county, then the assessor of such city. If
16 the plan is amended by ordinance or by any other means after
17 August 28, 2018, the ambulance or fire protection district or the
18 governing body of a county operating a 911 center providing
19 emergency or dispatch services under chapter 190 or chapter 321
20 shall have the right to recalculate the reimbursement rate
21 pursuant to this subsection.

22 100.059. 1. The governing body of any municipality
23 proposing a project for industrial development which involves
24 issuance of revenue bonds or involves conveyance of a fee
25 interest in property to a municipality shall, not less than
26 twenty days before approving the plan for a project as required
27 by section 100.050, provide notice of the proposed project to the
28 county in which the municipality is located and any school

1 district that is a school district, community college district,
2 ambulance district board operating under chapter 190, fire
3 protection district board operating under chapter 321, county, or
4 city; however, in any county of the first classification with
5 more than ninety-three thousand eight hundred but fewer than
6 ninety-three thousand nine hundred inhabitants, or any county of
7 the first classification with more than one hundred thirty-five
8 thousand four hundred but fewer than one hundred thirty-five
9 thousand five hundred inhabitants, if the plan for the project is
10 approved after May 15, 2005, such notice shall be provided to all
11 affected taxing entities in the county. Such notice shall
12 include the information required in section 100.050, shall state
13 the date on which the governing body of the municipality will
14 first consider approval of the plan, and shall invite such school
15 districts, community college districts, ambulance district board
16 operating under chapter 190, fire protection district board
17 operating under chapter 321, counties, or cities to submit
18 comments to the governing body and the comments shall be fairly
19 and duly considered.

20 2. Notwithstanding any other provisions of this section to
21 the contrary, for purposes of determining the limitation on
22 indebtedness of local government pursuant to Section 26(b),
23 Article VI, Constitution of Missouri, the current equalized
24 assessed value of the property in an area selected for
25 redevelopment attributable to the increase above the total
26 initial equalized assessed valuation shall be included in the
27 value of taxable tangible property as shown on the last completed
28 assessment for state or county purposes.

1 3. The county assessor shall include the current assessed
2 value of all property within the school district, community
3 college district, ambulance district board operating under
4 chapter 190, fire protection district board operating under
5 chapter 321, county, or city in the aggregate valuation of
6 assessed property entered upon the assessor's book and verified
7 pursuant to section 137.245, and such value shall be utilized for
8 the purpose of the debt limitation on local government pursuant
9 to Section 26(b), Article VI, Constitution of Missouri.

10 4. This section is applicable only if the plan for the
11 project is approved after August 28, 2003.

12 353.110. 1. Once the requirements of this section have
13 been complied with, the real property of urban redevelopment
14 corporations acquired pursuant to this chapter shall not be
15 subject to assessment or payment of general ad valorem taxes
16 imposed by the cities affected by this law, or by the state or
17 any political subdivision thereof, for a period not in excess of
18 ten years after the date upon which such corporations become
19 owners of such real property, except to such extent and in such
20 amount as may be imposed upon such real property during such
21 period measured solely by the amount of the assessed valuation of
22 the land, exclusive of improvements, acquired pursuant to this
23 chapter and owned by such urban redevelopment corporation, as was
24 determined by the assessor of the county in which such real
25 property is located, or, if not located within a county, then by
26 the assessor of such city, for taxes due and payable thereon
27 during the calendar year preceding the calendar year during which
28 the corporation acquired title to such real property. The

1 amounts of such tax assessments shall not be increased during
2 such period so long as the real property is owned by an urban
3 redevelopment corporation and used in accordance with a
4 development plan authorized by the legislative authority of such
5 cities, except as provided under subsection 4 of this section.

6 2. In the event, however, that any such real property was
7 tax exempt immediately prior to ownership by any urban
8 redevelopment corporation, such assessor or assessors shall, upon
9 acquisition of title thereto by the urban redevelopment
10 corporation, promptly assess such land, exclusive of
11 improvements, at such valuation as shall conform to but not
12 exceed the assessed valuation made during the preceding calendar
13 year of other land, exclusive of improvements, adjacent thereto
14 or in the same general neighborhood, and the amount of such
15 assessed valuation shall not be increased during the period set
16 pursuant to subsection 1 of this section so long as the real
17 property is owned by an urban redevelopment corporation and used
18 in accordance with a development plan authorized by the
19 legislative authority of such cities. For the next ensuing
20 period not in excess of fifteen years, ad valorem taxes upon such
21 real property shall be measured by the assessed valuation thereof
22 as determined by such assessor or assessors upon the basis of not
23 to exceed fifty percent of the true value of such real property,
24 including any improvements thereon, nor shall such valuations be
25 increased above fifty percent of the true value of such real
26 property from year to year during such next ensuing period so
27 long as the real property is owned by an urban redevelopment
28 corporation and used in accordance with an authorized development

1 plan. After a period totaling not more than twenty-five years,
2 such real property shall be subject to assessment and payment of
3 all ad valorem taxes, based on the full true value of the real
4 property; provided, that after the completion of the
5 redevelopment project, as authorized by law or ordinance whenever
6 any urban redevelopment corporation shall elect to pay full
7 taxes, or at the expiration of the period, such real property
8 shall be owned and operated free from any of the conditions,
9 restrictions or provisions of this chapter, and of any ordinance,
10 rule or regulation adopted pursuant thereto, any other law
11 limiting the right of domestic and foreign insurance companies to
12 own and operate real estate to the contrary notwithstanding.

13 3. No tax abatement or exemption authorized by this section
14 shall become effective unless and until the governing body of the
15 city:

16 (1) Furnishes each political subdivision whose boundaries
17 for ad valorem taxation purposes include any portion of the real
18 property to be affected by such tax abatement or exemption with a
19 written statement of the impact on ad valorem taxes such tax
20 abatement or exemption will have on such political subdivisions
21 and written notice of the hearing to be held in accordance with
22 subdivision (2) of this subsection. The written statement and
23 notice required by this subdivision shall be furnished as
24 provided by local ordinance before the hearing and shall include,
25 but need not be limited to, an estimate of the amount of ad
26 valorem tax revenues of each political subdivision which will be
27 affected by the proposed tax abatement or exemption, based on the
28 estimated assessed valuation of the real property involved as

1 such property would exist before and after it is redeveloped;

2 (2) Conducts a public hearing regarding such tax abatement
3 or exemption, at which hearing all political subdivisions
4 described in subdivision (1) of this subsection shall have the
5 right to be heard on such grant of tax abatement or exemption;

6 (3) Enacts an ordinance which provides for expiration of
7 development rights, including the rights of eminent domain and
8 tax abatement, in the event of failure of the urban redevelopment
9 corporation to acquire ownership of property within the area of
10 the development plan. Such ordinance shall provide for a
11 duration of time within which such property must be acquired, and
12 may allow for acquisition of property under the plan in phases.

13 4. (1) Notwithstanding any other provision of law to the
14 contrary, payments in lieu of taxes may be imposed by contract
15 between a city and an urban redevelopment corporation which
16 receives tax abatement or exemption on property pursuant to this
17 section. Such payments shall be made to the collector of revenue
18 of the county or city not within a county by December
19 thirty-first of each year payments are due. The governing body
20 of the city shall furnish the collector a copy of any such
21 contract requiring payment in lieu of taxes. The collector shall
22 allocate all revenues received from such payment in lieu of taxes
23 among all taxing authorities whose property tax revenues are
24 affected by the exemption or abatement on the same pro rata basis
25 and in the same manner as the ad valorem property tax revenues
26 received by each taxing authority from such property in the year
27 such payments are due.

28 (2) (a) The provisions of subsection 1 of this section and

1 subdivision (1) of this subsection notwithstanding, beginning
2 August 28, 2018, any district or county imposing a property tax
3 for the purposes of providing emergency services under chapter
4 190 or 321 shall be entitled to be reimbursed in an amount that
5 is at least fifty percent but not more than one hundred percent
6 of the amount of ad valorem property tax revenues that the
7 district or county would have received in the absence of the tax
8 abatement or exemption provided under this section.

9 (b) An ambulance district board operating under chapter
10 190, a fire protection district board operating under chapter
11 321, or the governing body of a county operating a 911 center
12 providing emergency or dispatch services under chapter 190 or
13 chapter 321 shall annually set the reimbursement rate under
14 paragraph (a) of this subdivision prior to the time the
15 assessment is determined by the assessor of the county in which
16 such district is located, or, if not located within a county,
17 then the assessor of such city. If the development plan or
18 redevelopment project is amended by ordinance or by any other
19 means after August 28, 2018, the ambulance or fire protection
20 district board shall have the right to recalculate the
21 reimbursement rate under this subdivision.

22 5. The provisions of subsection 3 of this section shall not
23 apply to any amendment or future amendment to a phased
24 development plan approved by the governing body of the city prior
25 to the effective date of the provisions of subsection 3 of this
26 section and upon which construction has been in progress pursuant
27 to such phased plan.