AN ACT

To repeal sections 32.310, 67.1401, 67.1421, 67.1451, 67.1461, 67.1471, 67.1481, 67.1545,
99.918, 99.1082, 100.310, 135.950, 137.115, 143.011, 143.121, 143.171, 144.011,
144.014, 144.020, 144.049, 144.054, 144.080, 144.140, 144.526, 144.605, 144.710,
144.757, 144.759, 144.1000, 144.1003, 144.1006, 144.1009, 144.1012, 144.1015,
262.900, 353.020, and 620.2005, RSMo, and to enact in lieu thereof forty-nine new
sections relating to taxation, with penalty provisions, a delayed effective date for
certain sections, and an emergency clause for certain sections.

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

Section A. Sections 32.310, 67.1401, 67.1421, 67.1451,
67.1461, 67.1471, 67.1481, 67.1545, 67.2677, 67.2689, 99.020,
99.1082, 100.310, 135.950, 137.115, 143.011, 143.121, 143.171,
144.011, 144.014, 144.020, 144.049, 144.054, 144.080, 144.140,
144.526, 144.605, 144.710, 144.757, 144.759, 144.1000,
144.1003, 144.1006, 144.1009, 144.1012, 144.1015, 262.900,
353.020, and 620.2005, RSMo, are repealed and forty-nine new
sections enacted in lieu thereof, to be known as sections
32.310, 67.1401, 67.1421, 67.1451, 67.1461, 67.1471, 67.1481,

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted
and is intended to be omitted in the law.
32.310. 1. The department of revenue shall create and maintain a mapping feature on its official public website that displays sales and use tax information of political subdivisions of this state that have taxing authority, including the current tax rate for each sales and use tax imposed and collected. Such display shall have the option to showcase the borders and jurisdiction of the following political subdivisions on a map of the state to the extent that such political subdivisions collect sales and use tax:

(1) Ambulance districts;
(2) Community improvement districts;
(3) Fire protection districts;
(4) Levee districts;
(5) Library districts;
(6) Neighborhood improvement districts;
(7) Port authority districts;
(8) Tax increment financing districts;
(9) Transportation development districts;
(10) School districts; or
(11) Any other political subdivision that imposes a sales or use tax within its borders and jurisdiction.

2. The mapping feature shall also have the option to superimpose state house of representative districts and state senate districts over the political subdivisions.
3. A political subdivision collecting sales or use tax listed in subsection 1 of this section shall provide to the department of revenue mapping and geographic data pertaining to the political subdivision's borders and jurisdictions. The political subdivision shall certify the accuracy of the data by affidavit and shall provide the data in a format specified by the department of revenue. Such data relating to sales taxes shall be sent to the department of revenue by April 1, 2019, and shall be updated and sent to the department if a change in the political subdivision's borders or jurisdiction occurs thereafter. Such data relating to use taxes shall be sent to the department of revenue by January 1, 2022. If a political subdivision fails to provide the information required under this subsection, the department of revenue shall use the last known sales or use tax rate for such political subdivision.

4. The department of revenue may contract with another entity to build and maintain the mapping feature.

5. By July 1, 2019, the department shall implement the mapping feature using the sales tax data provided to it under subsection 3 of this section. By July 1, 2022, the department shall implement the mapping feature using use tax data provided to it under subsection 3 of this section.

6. By July 1, 2022, the department shall update the mapping feature to include the total sales tax rate for combined rates of overlapping sales taxes levied and the total use tax rate for combined rates of overlapping use taxes levied.

7. If the boundaries of a political subdivision listed in subsection 1 of this section in which a sales or use tax has been imposed shall thereafter be changed or altered, the political subdivision shall forward to the director of
revenue by United States registered mail or certified mail a
certified copy of the ordinance adding or detaching
territory from the political subdivision within ten days of
adoption of the ordinance. The ordinance shall reflect the
effective date of the ordinance and shall be accompanied by
a map in a form to be determined by the director of
revenue. Upon receipt of the ordinance and map, the tax
imposed under the local sales tax law shall be effective in
the added territory or abolished in the detached territory
on the first day of a calendar quarter after one hundred
twenty days' notice to sellers.

67.1401. 1. Sections 67.1401 to 67.1571 shall be
known and may be cited as the "Community Improvement
District Act".

2. For the purposes of sections 67.1401 to 67.1571,
the following words and terms mean:

(1) "Approval" or "approve", for purposes of elections
pursuant to sections 67.1401 to 67.1571, a simple majority
of those qualified voters voting in the election;

(2) "Assessed value", the assessed value of real
property as reflected on the tax records of the county clerk
of the county in which the property is located, or the
collector of revenue if the property is located in a city
not within a county, as of the last completed assessment;

(3) "Blighted area", [an area which:

(a) By reason of the predominance of defective or
inadequate street layout, insanitary or unsafe conditions,
deterioration of site improvements, improper subdivision or
obsolete platting, or the existence of conditions which
endanger life or property by fire and other causes, or any
combination of such factors, retards the provision of
housing accommodations or constitutes an economic or social
liability or a menace to the public health, safety, morals or welfare in its present condition and use; or

(b) Has been declared blighted or found to be a blighted area pursuant to Missouri law including, but not limited to, chapter 353, sections 99.800 to 99.865, or sections 99.300 to 99.715] the same meaning as defined pursuant to section 99.805;

(4) "Board", if the district is a political subdivision, the board of directors of the district, or if the district is a not-for-profit corporation, the board of directors of such corporation;

(5) "Director of revenue", the director of the department of revenue of the state of Missouri;

(6) "District", a community improvement district, established pursuant to sections 67.1401 to 67.1571;

(7) "Election authority", the election authority having jurisdiction over the area in which the boundaries of the district are located pursuant to chapter 115;

(8) "Municipal clerk", the clerk of the municipality;

(9) "Municipality", any city, village, incorporated town, or county of this state, or in any unincorporated area that is located in any county with a charter form of government and with more than one million inhabitants;

(10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by a district to carry out any of its powers, duties or purposes or to refund outstanding obligations;

(11) "Owner", for real property, the individual or individuals or entity or entities who own a fee interest in real property that is located within the district or their legally authorized representative; for business organizations and other entities, the owner shall be deemed
to be the individual which is legally authorized to represent the entity in regard to the district;

(12) "Per capita", one head count applied to each individual, entity or group of individuals or entities having fee ownership of real property within the district whether such individual, entity or group owns one or more parcels of real property in the district as joint tenants, tenants in common, tenants by the entirety, tenants in partnership, except that with respect to a condominium created under sections 448.1-101 to 448.4-120, "per capita" means one head count applied to the applicable unit owners' association and not to each unit owner;

(13) "Petition", a petition to establish a district as it may be amended in accordance with the requirements of section 67.1421;

(14) "Qualified voters",

(a) For purposes of elections for approval of real property taxes:

   a. Registered voters; or
   b. If no registered voters reside in the district, the owners of one or more parcels of real property which is to be subject to such real property taxes and is located within the district per the tax records for real property of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the thirtieth day prior to the date of the applicable election;

(b) For purposes of elections for approval of business license taxes or sales taxes:

   a. Registered voters; or
   b. If no registered voters reside in the district, the owners of one or more parcels of real property located within the district per the tax records for real property of
the county clerk as of the thirtieth day before the date of
the applicable election; and

(c) For purposes of the election of directors of the
board, registered voters and owners of real property which
is not exempt from assessment or levy of taxes by the
district and which is located within the district per the
tax records for real property of the county clerk, or the
collector of revenue if the district is located in a city
not within a county, of the thirtieth day prior to the date
of the applicable election; and

(15) "Registered voters", persons who reside within
the district and who are qualified and registered to vote
pursuant to chapter 115, pursuant to the records of the
election authority as of the thirtieth day prior to the date
of the applicable election.

67.1421. 1. Upon receipt of a proper petition filed
with its municipal clerk, the governing body of the
municipality in which the proposed district is located shall
hold a public hearing in accordance with section 67.1431 and
may adopt an ordinance to establish the proposed district.

2. A petition is proper if, based on the tax records
of the county clerk, or the collector of revenue if the
district is located in a city not within a county, as of the
time of filing the petition with the municipal clerk, it
meets the following requirements:

(1) It has been signed by property owners collectively
owning more than fifty percent by assessed value of the real
property within the boundaries of the proposed district;

(2) It has been signed by more than fifty percent per
capita of all owners of real property within the boundaries
of the proposed district; and

(3) It contains the following information:
(a) The legal description of the proposed district, including a map illustrating the district boundaries;
(b) The name of the proposed district;
(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;
(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, [the improvements] each improvement it will make [and] from the list of allowable improvements under section 67.1461, an estimate of the costs of these services and improvements to be incurred, the anticipated sources of funds to pay the costs, and the anticipated term of the sources of funds to pay the costs;
(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;
(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;
(g) If the district is to be a political subdivision, the number of directors to serve on the board;
(h) The total assessed value of all real property within the proposed district;
(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;
(j) The proposed length of time for the existence of the district, which in the case of districts established after August 28, 2021, shall not exceed twenty-seven years from the adoption of the ordinance establishing the district unless the municipality extends the length of time under section 67.1481;

(k) The maximum rates of real property taxes, and, business license taxes in the county seat of a county of the first classification without a charter form of government containing a population of at least two hundred thousand, that may be submitted to the qualified voters for approval;

(l) The maximum rates of special assessments and respective methods of assessment that may be proposed by petition;

(m) The limitations, if any, on the borrowing capacity of the district;

(n) The limitations, if any, on the revenue generation of the district;

(o) Other limitations, if any, on the powers of the district;

(p) A request that the district be established; and

(q) Any other items the petitioners deem appropriate;

(4) The signature block for each real property owner signing the petition shall be in substantially the following form and contain the following information:

Name of owner: _____

Owner's telephone number and mailing address: _____

If signer is different from owner:

Name of signer: _____

State basis of legal authority to sign: _____
Alternatively, the governing body of any home rule city with more than four hundred thousand inhabitants and located in more than one county may file a petition to initiate the process to establish a district in the portion of the city located in any county of the first
classification with more than two hundred thousand but fewer
than two hundred sixty thousand inhabitants containing the
information required in subdivision (3) of this subsection;
provided that the only funding methods for the services and
improvements will be a real property tax.

3. Upon receipt of a petition the municipal clerk
shall, within a reasonable time not to exceed ninety days
after receipt of the petition, review and determine whether
the petition substantially complies with the requirements of
subsection 2 of this section. In the event the municipal
clerk receives a petition which does not meet the
requirements of subsection 2 of this section, the municipal
clerk shall, within a reasonable time, return the petition
to the submitting party by hand delivery, first class mail,
postage prepaid or other efficient means of return and shall
specify which requirements have not been met.

4. After the close of the public hearing required
pursuant to subsection 1 of this section, the governing body
of the municipality may adopt an ordinance approving the
petition and establishing a district as set forth in the
petition and may determine, if requested in the petition,
whether the district, or any legally described portion
thereof, constitutes a blighted area. If the petition was
filed by the governing body of a municipality pursuant to
subdivision (5) of subsection 2 of this section, after the
close of the public hearing required pursuant to subsection
1 of this section, the petition may be approved by the
governing body and an election shall be called pursuant to
section 67.1422.

5. Amendments to a petition may be made which do not
change the proposed boundaries of the proposed district if
an amended petition meeting the requirements of subsection 2
of this section is filed with the municipal clerk at the following times and the following requirements have been met:

(1) At any time prior to the close of the public hearing required pursuant to subsection 1 of this section; provided that, notice of the contents of the amended petition is given at the public hearing;

(2) At any time after the public hearing and prior to the adoption of an ordinance establishing the proposed district; provided that, notice of the amendments to the petition is given by publishing the notice in a newspaper of general circulation within the municipality and by sending the notice via registered certified United States mail with a return receipt attached to the address of record of each owner of record of real property within the boundaries of the proposed district per the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county. Such notice shall be published and mailed not less than ten days prior to the adoption of the ordinance establishing the district;

(3) At any time after the adoption of any ordinance establishing the district a public hearing on the amended petition is held and notice of the public hearing is given in the manner provided in section 67.1431 and the governing body of the municipality in which the district is located adopts an ordinance approving the amended petition after the public hearing is held.

6. Upon the creation of a district, the municipal clerk shall report in writing the creation of such district to the Missouri department of economic development and the state auditor.

67.1451. 1. If a district is a political subdivision, the election and qualifications of members to the district's
board of directors shall be in accordance with this section. If a district is a not-for-profit corporation, the election and qualification of members to its board of directors shall be in accordance with chapter 355.

2. (1) The district shall be governed by a board consisting of at least five but not more than thirty directors.

   (2) Except as otherwise provided in this subsection, each director shall, during his or her entire term, be:

   [(1)] (a) Be at least eighteen years of age; [and

   [(2)] (b) Be either:

   [(a)] a. An owner, as defined in section 67.1401, of real property or of a business operating within the district; or

   [(b)] b. A registered voter residing within the district; and

   [(3)] (c) Satisfy any other qualifications set forth in the petition establishing the district.

3. (3) In the case of districts established after August 28, 2021, if there are no registered voters in the district on the date the petition is filed, at least one director shall, during his or her entire term, be a person who:

   (a) Resides within the municipality that established the district;

   (b) Is qualified and registered to vote under chapter 115 according to the records of the election authority as of the thirtieth day prior to the date of the applicable election;

   (c) Has no financial interest in any real property or business operating within the district; and
(d) Is not a relative within the second degree of consanguinity or affinity to an owner of real property or a business operating in the district.

(4) If there are fewer than five owners of real property located within a district, the board may be comprised of up to five legally authorized representatives of any of the owners of real property located within the district.

3. If the district is a political subdivision, the board shall be elected or appointed, as provided in the petition. However, in the case of districts established after August 28, 2021, if the board is to be elected, the petition shall require at least one member of the board be appointed by the governing body of the municipality in the same manner as provided in this section for board appointments. The appointed board member shall serve a four-year term.

4. If the board is to be elected, the procedure for election shall be as follows:

   (1) The municipal clerk shall specify a date on which the election shall occur which date shall be a Tuesday and shall not be earlier than the tenth Tuesday, and shall not be later than the fifteenth Tuesday, after the effective date of the ordinance adopted to establish the district;  

   (2) The election shall be conducted in the same manner as provided for in section 67.1551, provided that the published notice of the election shall contain the information required by section 67.1551 for published notices, except that it shall state that the purpose of the election is for the election of directors, in lieu of the information related to taxes;
(3) Candidates shall pay the sum of five dollars as a filing fee and shall file not later than the second Tuesday after the effective date of the ordinance establishing the district with the municipal clerk a statement under oath that he or she possesses all of the qualifications set out in this section for a director. Thereafter, such candidate shall have his or her name placed on the ballot as a candidate for director;

(4) The director or directors to be elected shall be elected at large. The person receiving the most votes shall be elected to the position having the longest term; the person receiving the second highest votes shall be elected to the position having the next longest term and so forth.

For any district formed prior to August 28, 2003, of the initial directors, one-half shall serve for a two-year term, one-half shall serve for a four-year term and if an odd number of directors are elected, the director receiving the least number of votes shall serve for a two-year term, until such director's successor is elected. For any district formed on or after August 28, 2003, for the initial directors, one-half shall serve for a two-year term, and one-half shall serve for the term specified by the district pursuant to subdivision (5) of this subsection, and if an odd number of directors are elected, the director receiving the least number of votes shall serve for a two-year term, until such director's successor is elected;

(5) Successor directors shall be elected in the same manner as the initial directors. The date of the election of successor directors shall be specified by the municipal clerk which date shall be a Tuesday and shall not be later than the date of the expiration of the stated term of the expiring director. Each successor director shall serve a
term for the length specified prior to the election by the
district, which term shall be at least three years and not
more than four years, and shall continue until such
director's successor is elected.

In the event of a vacancy on the board of directors, the
remaining directors shall elect an interim director to fill
the vacancy for the unexpired term.

5. If the petition provides that the board is to be
appointed by the municipality, such appointments shall be
made by the chief elected officer of the municipality with
the consent of the governing body of the municipality. For
any district formed prior to August 28, 2003, of the initial
appointed directors, one-half of the directors shall be
appointed to serve for a two-year term and the remaining one-
half shall be appointed to serve for a four-year term until
such director's successor is appointed; provided that, if
there is an odd number of directors, the last person
appointed shall serve a two-year term. For any district
formed on or after August 28, 2003, of the initial appointed
directors, one-half shall be appointed to serve for a two-
year term, and one-half shall be appointed to serve for the
term specified by the district for successor directors
pursuant to this subsection, and if an odd number of
directors are appointed, the last person appointed shall
serve for a two-year term; provided that each director shall
serve until such director's successor is appointed.

Successor directors shall be appointed in the same manner as
the initial directors and shall serve for a term of years
specified by the district prior to the appointment, which
term shall be at least three years and not more than four
years.
6. If the petition states the names of the initial
directors, those directors shall serve for the terms
specified in the petition and successor directors shall be
determined either by the above-listed election process or
appointment process as provided in the petition.

7. Any director may be removed for cause by a two-
thirds affirmative vote of the directors of the board.
Written notice of the proposed removal shall be given to all
directors prior to action thereon.

8. The board is authorized to act on behalf of the
district, subject to approval of qualified voters as
required in this section; except that, all official acts of
the board shall be by written resolution approved by the
board.

67.1461. 1. Each district shall have all the powers,
except to the extent any such power has been limited by the
petition approved by the governing body of the municipality
to establish the district, necessary to carry out and
effectuate the purposes and provisions of sections 67.1401
to 67.1571 including, but not limited to, the following:

(1) To adopt, amend, and repeal bylaws, not
inconsistent with sections 67.1401 to 67.1571, necessary or
convenient to carry out the provisions of sections 67.1401
to 67.1571;

(2) To sue and be sued;

(3) To make and enter into contracts and other
instruments, with public and private entities, necessary or
convenient to exercise its powers and carry out its duties
pursuant to sections 67.1401 to 67.1571;

(4) To accept grants, guarantees and donations of
property, labor, services, or other things of value from any
public or private source;
(5) To employ or contract for such managerial, engineering, legal, technical, clerical, accounting, or other assistance as it deems advisable;

(6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real property within its boundaries, personal property, or any interest in such property;

(7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real or personal property or any interest in such property;

(8) To levy and collect special assessments and taxes as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(9) If the district is a political subdivision, to levy real property taxes and business license taxes in the county seat of a county of the first classification containing a population of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt from taxation pursuant to subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to 67.1571;

(10) If the district is a political subdivision, to levy sales taxes pursuant to sections 67.1401 to 67.1571;

(11) To fix, charge, and collect fees, rents, and other charges for use of any of the following:
(a) The district's real property, except for public rights-of-way for utilities;

(b) The district's personal property, except in a city not within a county; or

(c) Any of the district's interests in such real or personal property, except for public rights-of-way for utilities;

(12) To borrow money from any public or private source and issue obligations and provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;

(13) To loan money as provided in sections 67.1401 to 67.1571;

(14) To make expenditures, create reserve funds, and use its revenues as necessary to carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

(15) To enter into one or more agreements with the municipality for the purpose of abating any public nuisance within the boundaries of the district including, but not limited to, the stabilization, repair or maintenance or demolition and removal of buildings or structures, provided that the municipality has declared the existence of a public nuisance;

(16) Within its boundaries, to provide assistance to or to construct, reconstruct, install, repair, maintain, and equip any of the following public improvements:

(a) Pedestrian or shopping malls and plazas;

(b) Parks, lawns, trees, and any other landscape;

(c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

(d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and
signals, utilities, drainage, water, storm and sewer systems, and other site improvements;

(e) Parking lots, garages, or other facilities;

(f) Lakes, dams, and waterways;

(g) Streetscape, lighting, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls, and barriers;

(h) Telephone and information booths, bus stop and other shelters, rest rooms, and kiosks;

(i) Paintings, murals, display cases, sculptures, and fountains;

(j) Music, news, and child-care facilities; and

(k) Any other useful, necessary, or desired public improvement specified in the petition or any amendment;

(17) To dedicate to the municipality, with the municipality's consent, streets, sidewalks, parks, and other real property and improvements located within its boundaries for public use;

(18) Within its boundaries and with the municipality's consent, to prohibit or restrict vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps, sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in such areas;

(19) Within its boundaries, to operate or to contract for the provision of music, news, child-care, or parking facilities, and buses, minibuses, or other modes of transportation;

(20) Within its boundaries, to lease space for sidewalk café tables and chairs;

(21) Within its boundaries, to provide or contract for the provision of security personnel, equipment, or facilities for the protection of property and persons;
(22) Within its boundaries, to provide or contract for cleaning, maintenance, and other services to public and private property;

(23) To produce and promote any tourism, recreational or cultural activity or special event in the district by, but not limited to, advertising, decoration of any public place in the district, promotion of such activity and special events, and furnishing music in any public place;

(24) To support business activity and economic development in the district including, but not limited to, the promotion of business activity, development and retention, and the recruitment of developers and businesses;

(25) To provide or support training programs for employees of businesses within the district;

(26) To provide refuse collection and disposal services within the district;

(27) To contract for or conduct economic, planning, marketing or other studies;

(28) To repair, restore, or maintain any abandoned cemetery on public or private land within the district; and

(29) To partner with a telecommunications company or broadband service provider in order to construct or improve telecommunications facilities which shall be wholly owned and operated by the telecommunications company or broadband service provider, as the terms "telecommunications company" and "telecommunications facilities" are defined in section 386.020 and subject to the provisions of section 392.410, that are in an unserved or underserved area, as defined in section 620.2450. Before any facilities are improved or constructed as a result of this section, the area shall be certified as unserved or underserved by the director of
broadband development within the department of economic
development;

(30) To carry out any other powers set forth in
sections 67.1401 to 67.1571.

2. Each district which is located in a blighted area
or which includes a blighted area shall have the following
additional powers:

(1) Within its blighted area, to contract with any
private property owner to demolish and remove, renovate,
reconstruct, or rehabilitate any building or structure owned
by such private property owner; and

(2) To expend its revenues or loan its revenues
pursuant to a contract entered into pursuant to this
subsection, provided that the governing body of the
municipality has determined that the action to be taken
pursuant to such contract is reasonably anticipated to
remediate the blighting conditions and will serve a public
purpose.

3. Each district shall annually reimburse the
municipality for the reasonable and actual expenses incurred
by the municipality to establish such district and review
annual budgets and reports of such district required to be
submitted to the municipality; provided that, such annual
reimbursement shall not exceed one and one-half percent of
the revenues collected by the district in such year.

4. Nothing in sections 67.1401 to 67.1571 shall be
construed to delegate to any district any sovereign right of
municipalities to promote order, safety, health, morals, and
general welfare of the public, except those such police
powers, if any, expressly delegated pursuant to sections
67.1401 to 67.1571.
5. The governing body of the municipality establishing the district shall not decrease the level of publicly funded services in the district existing prior to the creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the municipality, nor shall the governing body discriminate in the provision of the publicly funded services between areas included in such district and areas not so included.

6. All construction contracts entered into after August 28, 2021, in excess of five thousand dollars between a district that has adopted a sales tax and any private person, firm, or corporation shall be competitively bid and shall be awarded to the lowest and best bidder. Notice of the letting of the contracts shall be given in the manner provided by section 8.250.

67.1471. 1. The fiscal year for the district shall be the same as the fiscal year of the municipality.

2. No earlier than one hundred eighty days and no later than ninety days prior to the first day of each fiscal year, the board shall submit to the governing body of the city a proposed annual budget, setting forth expected expenditures, revenues, and rates of assessments and taxes, if any, for such fiscal year. The governing body may review and comment to the board on this proposed budget, but if such comments are given, the governing body of the municipality shall provide such written comments to the board no later than sixty days prior to the first day of the relevant fiscal year; such comments shall not constitute requirements but shall only be recommendations.
3. The board shall hold an annual meeting and adopt an annual budget no later than thirty days prior to the first day of each fiscal year.

4. Within one hundred twenty days after the end of each fiscal year, the district shall submit a report to the municipal clerk and the Missouri department of economic development [stating]. The report shall state the services provided, revenues collected, and expenditures made by the district during such fiscal year[,]; state the dates the district adopted its annual budget, submitted its proposed annual budget to the municipality, and submitted its annual report to the municipal clerk; and include copies of written resolutions approved by the board during the fiscal year. The municipal clerk shall retain this report as part of the official records of the municipality and shall also cause this report to be spread upon the records of the governing body.

5. The state auditor may audit a district in the same manner as the auditor may audit any agency of the state.

67.1481. 1. Each ordinance establishing a district shall set forth the term for the existence of such district which term may be defined as a minimum, maximum, or definite number of years, but in the case of districts established after August 28, 2021, the term shall not exceed twenty-seven years except as provided under subsection 6 of this section.

2. Upon receipt by the municipal clerk of a proper petition and after notice and a public hearing, any district may be terminated by ordinance adopted by the governing body of the municipality prior to the expiration of its term if the district has no outstanding obligations. A copy of such
ordinance shall be given to the department of economic
development.

3. A petition for the termination of a district is
proper if:
   (1) It names the district to be terminated;
   (2) It has been signed by owners of real property
       collectively owning more than fifty percent by assessed
       value of real property within the boundaries of the district;
   (3) It has been signed by more than fifty percent per
       capita of owners of real property within the boundaries of
       the district;
   (4) It contains a plan for dissolution and
       distribution of the assets of the district; and
   (5) The signature block signed by each petitioner is
       in the form set forth in subdivision (4) of subsection 2 of
       section 67.1421.

4. The public hearing required by this section shall
be held and notice of such public hearing shall be given in
the manner set forth in section 67.1431. The notice shall
contain the following information:
   (1) The date, time and place of the public hearing;
   (2) A statement that a petition requesting the
       termination of the district has been filed with the
       municipal clerk;
   (3) A statement that a copy of the petition is
       available at the office of the municipal clerk during
       regular business hours; and
   (4) A statement that all interested parties will be
       given an opportunity to be heard.

5. Upon expiration or termination of a district, the
assets of such district shall either be [distributed] sold
or transferred in accordance with the plan for dissolution
as approved by ordinance. Every effort should be made by
the municipality for the assets of the district to be
distributed in such a manner so as to benefit the real
property which was formerly a part of the district.

6. Prior to the expiration of the term of a district,
a municipality may adopt an ordinance to extend the term of
the existence of a district after holding a public hearing
on the proposed extension. The extended term may be defined
as a minimum, maximum, or definite number of years, but the
extended term shall not exceed twenty-seven years. Notice
of the hearing shall be given in the same manner as required
under section 67.1431, except the notice shall include the
time, date, and place of the public hearing; the name of the
district; a map showing the boundaries of the existing
district; and a statement that all interested persons shall
be given an opportunity to be heard at the public hearing.

67.1545. 1. Any district formed as a political
subdivision may impose by resolution a district sales and
use tax on all retail sales made in such district which are
subject to taxation pursuant to sections 144.010 to 144.525,
except sales of motor vehicles, trailers, boats or outboard
motors and sales to or by public utilities and providers of
communications, cable, or video services. Any sales and use
tax imposed pursuant to this section may be imposed in
increments of one-eighth of one percent, up to a maximum of
one percent. Such district sales and use tax may be imposed
for any district purpose designated by the district in its
ballot of submission to its qualified voters; except that,
no resolution adopted pursuant to this section shall become
effective unless the board of directors of the district
submits to the qualified voters of the district, by mail-in
ballot, a proposal to authorize a sales and use tax pursuant
to this section. If a majority of the votes cast by the qualified voters on the proposed sales tax are in favor of the sales tax, then the resolution is adopted. If a majority of the votes cast by the qualified voters are opposed to the sales tax, then the resolution is void.

2. The ballot shall be substantially in the following form:

Shall the _____ (insert name of district) Community Improvement District impose a community improvement districtwide sales and use tax at the maximum rate of _____ (insert amount) for a period of _____ (insert number) years from the date on which such tax is first imposed for the purpose of providing revenue for _____ (insert general description of the purpose)?

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

3. Within ten days after the qualified voters have approved the imposition of the sales and use tax, the district shall, in accordance with section 32.087, notify the director of the department of revenue. The sales and use tax authorized by this section shall become effective on the first day of the second calendar quarter after the director of the department of revenue receives notice of the adoption of such tax.

4. The director of the department of revenue shall collect any tax adopted pursuant to this section pursuant to section 32.087.

5. In each district in which a sales and use tax is imposed pursuant to this section, every retailer shall add
such additional tax imposed by the district to such retailer's sale price, and when so added such tax shall constitute a part of the purchase price, shall be a debt of the purchaser to the retailer until paid and shall be recoverable at law in the same manner as the purchase price.

6. In order to allow retailers to collect and report the sales and use tax authorized by this section as well as all other sales and use taxes required by law in the simplest and most efficient manner possible, a district may establish appropriate brackets to be used in the district imposing a tax pursuant to this section in lieu of the brackets provided in section 144.285.

7. The penalties provided in sections 144.010 to 144.525 shall apply to violations of this section.

8. All revenue received by the district from a sales and use tax imposed pursuant to this section which is designated for a specific purpose shall be deposited into a special trust fund and expended solely for such purpose. Upon the expiration of any sales and use tax adopted pursuant to this section, all funds remaining in the special trust fund shall continue to be used solely for the specific purpose designated in the resolution adopted by the qualified voters. Any funds in such special trust fund which are not needed for current expenditures may be invested by the board of directors pursuant to applicable laws relating to the investment of other district funds.

9. A district may repeal by resolution any sales and use tax imposed pursuant to this section before the expiration date of such sales and use tax unless the repeal of such sales and use tax will impair the district's ability to repay any liabilities the district has incurred, moneys the district has borrowed or obligation the district has
issued to finance any improvements or services rendered for
the district.

10. Notwithstanding the provisions of chapter 115, an
election for a district sales and use tax under this section
shall be conducted in accordance with the provisions of this
section.

11. In each district in which a sales tax is imposed
under this section, every retailer shall prominently display
the rate of the sales tax imposed or increased at the cash
register area.

67.2677. For purposes of sections 67.2675 to 67.2714,
the following terms mean:

(1) "Cable operator", as defined in 47 U.S.C. Section
522(5);

(2) "Cable system", as defined in 47 U.S.C. Section
522(7);

(3) "Franchise", an initial authorization, or renewal
of an authorization, issued by a franchising entity,
regardless of whether the authorization is designated as a
franchise, permit, license, resolution, contract,
certificate, agreement, or otherwise, that authorizes the
 provision of video service and any affiliated or subsidiary
agreements related to such authorization;

(4) "Franchise area", the total geographic area
authorized to be served by an incumbent cable operator in a
political subdivision as of August 28, 2007, or, in the case
of an incumbent local exchange carrier, as such term is
defined in 47 U.S.C. Section 251(h), or affiliate thereof,
the area within such political subdivision in which such
carrier provides telephone exchange service;

(5) "Franchise entity", a political subdivision that
was entitled to require franchises and impose fees on cable
operators on the day before the effective date of sections 67.2675 to 67.2714, provided that only one political subdivision may be a franchise entity with regard to a geographic area;

(6) (a) "Gross revenues", limited to amounts billed to video service subscribers [or received from advertisers] for the following:
   a. Recurring charges for video service; and
   b. Event-based charges for video service, including but not limited to pay-per-view and video-on-demand charges;
   [c. Rental of set top boxes and other video service equipment;
      d. Service charges related to the provision of video service, including but not limited to activation, installation, repair, and maintenance charges;
      e. Administrative charges related to the provision of video service, including but not limited to service order and service termination charges; and
      f. A pro rata portion of all revenue derived, less refunds, rebates, or discounts, by a video service provider for advertising over the video service network to subscribers within the franchise area where the numerator is the number of subscribers within the franchise area, and the denominator is the total number of subscribers reached by such advertising;]

(b) "Gross revenues" do not include:
   a. Discounts, refunds, and other price adjustments that reduce the amount of compensation received by an entity holding a video service authorization;
   b. Uncollectibles;
   c. Late payment fees;
d. Amounts billed to video service subscribers to recover taxes, fees, or surcharges imposed on video service subscribers or video service providers in connection with the provision of video services, including the video service provider fee authorized by this section;

e. Fees or other contributions for PEG or I-Net support; [or]

f. Charges for services other than video service that are aggregated or bundled with amounts billed to video service subscribers, if the entity holding a video service authorization reasonably can identify such charges on books and records kept in the regular course of business or by other reasonable means;

g. Rental of set top boxes, modems, or other equipment used to provide or facilitate the provision of video service;

h. Service charges related to the provision of video service including, but not limited to, activation, installation, repair, and maintenance charges;

i. Administrative charges related to the provision of video service including, but not limited to, service order and service termination charges; or

j. A pro rata portion of all revenue derived from advertising, less refunds, rebates, or discounts;

(c) Except with respect to the exclusion of the video service provider fee, gross revenues shall be computed in accordance with generally accepted accounting principles;

(7) "Household", an apartment, a house, a mobile home, or any other structure or part of a structure intended for residential occupancy as separate living quarters;

(8) "Incumbent cable operator", the cable service provider serving cable subscribers in a particular franchise area on September 1, 2007;
"Low-income household", a household with an average annual household income of less than thirty-five thousand dollars;

"Person", an individual, partnership, association, organization, corporation, trust, or government entity;

"Political subdivision", a city, town, village, county;

"Public right-of-way", the area of real property in which a political subdivision has a dedicated or acquired right-of-way interest in the real property, including the area on, below, or above the present and future streets, alleys, avenues, roads, highways, parkways, or boulevards dedicated or acquired as right-of-way and utility easements dedicated for compatible uses. The term does not include the airwaves above a right-of-way with regard to wireless telecommunications or other nonwire telecommunications or broadcast service;

"Video programming", programming provided by, or generally considered comparable to programming provided by, a television broadcast station, as set forth in 47 U.S.C. Section 522(20);

"Video service", the provision of video programming provided through wireline facilities located at least in part in the public right-of-way without regard to delivery technology, including internet protocol technology whether provided as part of a tier, on demand, or a per-channel basis. This definition includes cable service as defined by 47 U.S.C. Section 522(6), but does not include any video programming provided by a commercial mobile service provider defined in 47 U.S.C. Section 332(d), or any video programming provided solely as part of and via a
service that enables users to access content, information, electronic mail, or other services offered over the public internet;

(15) "Video service authorization", the right of a video service provider or an incumbent cable operator that secures permission from the public service commission pursuant to sections 67.2675 to 67.2714, to offer video service to subscribers in a political subdivision;

(16) "Video service network", wireline facilities, or any component thereof, located at least in part in the public right-of-way that deliver video service, without regard to delivery technology, including internet protocol technology or any successor technology. The term video service network shall include cable systems;

(17) "Video service provider", any person that distributes video service through a video service network pursuant to a video service authorization;

(18) "Video service provider fee", the fee imposed under section 67.2689.

67.2680. The state or any other political subdivision shall not impose any new tax, license, or fee in addition to any tax, license, or fee already authorized on or before August 28, 2021, upon the provision of satellite or streaming video service.

67.2689. 1. A franchise entity may collect a video service provider fee equal to not more than five percent of the gross revenues [from each] charged to each customer of a video service provider that is providing video service in the geographic area of such franchise entity. The video service provider fee shall apply equally to all video service providers within the geographic area of a franchise entity.
2. Beginning August 28, 2023, franchise entities are prohibited from collecting a video service provider fee in excess of four and one-half percent of such gross revenues. Beginning August 28, 2024, franchise entities are prohibited from collecting a video service provider fee in excess of four percent of such gross revenues. Beginning August 28, 2025, franchise entities are prohibited from collecting a video service provider fee in excess of three and one-half percent of such gross revenues. Beginning August 28, 2026, franchise entities are prohibited from collecting a video service provider fee in excess of three percent of such gross revenues. Beginning August 28, 2027, and continuing thereafter, franchise entities are prohibited from collecting a video service provider fee in excess of two and one-half percent of such gross revenues.

3. Except as otherwise expressly provided in sections 67.2675 to 67.2714, neither a franchise entity nor any other political subdivision shall demand any additional fees, licenses, gross receipt taxes, or charges on the provision of video services by a video service provider and shall not demand the use of any other calculation method.

[3. All video service providers providing service in the geographic area of a franchise entity shall pay the video service provider fee at the same percent of gross revenues as had been assessed on the incumbent cable operator by the franchise entity immediately prior to the date of enactment of sections 67.2675 to 67.2714, and such percentage shall continue to apply until the date that the incumbent cable operator's franchise existing at that time expires or would have expired if it had not been terminated pursuant to sections 67.2675 to 67.2714. The franchise entity shall notify the applicant for a video service]
authorization of the applicable gross revenue fee percentage within thirty days of the date notice of the applicant is provided.]

4. Not more than once per calendar year after the date that the incumbent cable operator's franchise existing on August 28, 2007, expires or would have expired if it had not been terminated pursuant to sections 67.2675 to 67.2714, or in any political subdivision where no franchise applied on the date of enactment of sections 67.2675 to 67.2714, no more than once per calendar year after the video service provider fee was initially imposed, a franchise entity, may, upon ninety days notice to all video service providers, elect to adjust the amount of the video service provider fee subject to state and federal law, but in no event shall such fee exceed [five percent of a video service provider's gross revenue] the calculation defined in subsections 1 and 2 of this section.

5. The video service provider fee shall be paid to each franchise entity requiring such fee on or before the last day of the month following the end of each calendar quarter [and shall be calculated as a percentage of gross revenues, as defined under section 67.2677]. Any payment made pursuant to subsection 8 of section 67.2703 shall be made at the same time as the payment of the video service provider fee.

6. Any video service provider [may] shall identify and collect the amount of the video service provider fee and collect any support under subsection 8 of section 67.2703 as separate line items on subscriber bills.

67.2720. 1. There is hereby established the "Task Force on the Future of Right-Of-Way Management and Taxation", which shall be composed of the following members:
(1) Two members of the senate to be appointed by the
president pro tempore of the senate;

(2) One member of the senate to be appointed by the
minority floor leader of the senate;

(3) Two members of the house of representatives to be
appointed by the speaker of the house of representatives;

(4) One member of the house of representatives to be
appointed by the minority floor leader of the house of
representatives;

(5) Four members that are municipal officials or other
political subdivision officials, two to be appointed by the
president pro tempore of the senate and two to be appointed
by the speaker of the house of representatives;

(6) Four experts in the telecommunications industry,
    two to be appointed by the president pro tempore of the
    senate and two to be appointed by the speaker of the house
    of representatives;

(7) A member of the municipal league of metro St.
    Louis appointed by the speaker of the house of
    representatives; and

(8) A member of the Missouri municipal league
    appointed by the president pro tempore of the senate.

2. A majority of the members of the task force shall
constitute a quorum, but the concurrence of a majority of
the members shall be required for the determination of any
matter within the task force's duties.

3. The task force shall meet within thirty days after
its creation and organize by selecting a chair and a vice
chair, one of whom shall be a member of the senate and the
other a member of the house of representatives.

4. The task force shall study best methods for right-
of-way management, taxation of video services, and the
future revenue needs of municipalities and political subdivisions as such revenue relates to video services.

5. The task force shall compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than December 31, 2023, and shall include any recommendations which the task force may have for legislative action.

6. The task force shall be staffed by legislative personnel as is deemed necessary to assist the task force in the performance of its duties.

7. The members of the task force shall serve without compensation, but any actual and necessary expenses incurred in the performance of the task force's official duties by the task force, its members, and any staff assigned to the task force shall be paid from the joint contingent fund.

8. This section shall expire on December 31, 2023.

99.020. The following terms, wherever used or referred to in sections 99.010 to 99.230, shall have the following respective meanings unless a different meaning clearly appears from the context:

(1) "Area of operation", in the case of a housing authority of a city, shall include such city; in the case of a housing authority of a county, shall include all of the county except that portion which lies within the territorial boundaries of any city as herein defined;

(2) "Authority" or "housing authority" shall mean any of the municipal corporations created by section 99.040;

(3) "Blighted" [shall mean any area where dwellings predominate which, by reason of dilapidation, overcrowding, lack of ventilation, light or sanitary facilities or any combination of these factors are detrimental to safety,
health and morals], the same meaning as defined pursuant to section 99.805;

(4) "Bonds" shall mean any bonds, notes, interim certificates, debentures, or other obligations issued by the authority pursuant to this chapter;

(5) "City" shall mean any city, town or village in the state;

(6) "The city" shall mean the particular city for which a particular housing authority is created;

(7) "Clerk" shall mean the clerk of the city or the clerk of the county commission, as the case may be, or the officer charged with the duties customarily imposed on such clerk;

(8) "County" shall mean any county in the state;

(9) "The county" shall mean the particular county for which a particular housing authority is created;

(10) "Federal government" shall include the United States of America, the United States Department of Housing and Urban Development or any other agency or instrumentality, corporate or otherwise, of the United States of America;

(11) "Governing body" shall mean, in the case of a city, the city council, common council, board of aldermen or other legislative body of the city, and in the case of a county, the county commission or other legislative body of the county;

(12) "Housing project" shall mean any work or undertaking, whether in a blighted or other area:

(a) To demolish, clear or remove buildings. Such work or undertaking may include the adaptation of such area to public purposes, including parks or other recreation or community purposes; or
(b) To provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for persons of very low and lower income. Such work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, site preparation, gardening, administrative, community, health, welfare or other purposes. Such work or undertaking may also include housing, for persons of moderate income, offices, stores, solar energy access, parks, and recreational and educational facilities, provided that such activities be undertaken only in conjunction with the provision of housing for persons of very low and lower income, and provided further that any profit of the authority shall be distributed as provided in subsection 3 of section 99.080; or

(c) To accomplish a combination of the foregoing. The term "housing project" also may be applied to the planning of the buildings and improvements, the acquisition of property; the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith;

(d) In the planning and carrying out of any housing project owned and operated by a housing authority, a housing authority shall establish procedures for allocating any training and employment opportunities which may arise from such activity to qualified persons of very low and lower income who have been unemployed for one year or more and reside within the area of operation of the housing authority;

(13) "Mayor" shall mean the elected mayor of the city or the elected officer thereof charged with duties
customarily imposed on the mayor or executive head of the city;

(14) "Obligee of the authority" or "obligee" shall include any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the authority;

(15) "Persons of very low income" means those persons or families whose annual income does not exceed fifty percent of the median income for the area. "Persons of lower income" means those persons or families whose annual income is greater than fifty but does not exceed eighty percent of the median income for the area. "Persons of moderate income" means those persons or families whose annual income is greater than eighty but does not exceed one hundred and fifty percent of the median income for the area. For purposes of this subdivision, median income for the area shall be determined in accordance with section 1437a, Title 42, United States Code, including any amendments thereto. Any and all references to "persons of low income" in this chapter shall mean persons of very low, lower or moderate income as defined herein;

(16) "Profit" shall mean the difference between gross revenues and necessary and ordinary business expenses, including debt service, if any;

(17) "Real property" shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by
way of judgment, mortgage or otherwise and the indebtedness
secured by such liens.

99.320. As used in this law, the following terms mean:

(1) "Area of operation", in the case of a
municipality, the area within the municipality except that
the area of operation of a municipality under this law shall
not include any area which lies within the territorial
boundaries of another municipality unless a resolution has
been adopted by the governing body of the other municipality
declaring a need therefor; and in the case of a county, the
area within the county, except that the area of operation in
such case shall not include any area which lies within the
territorial boundaries of a municipality unless a resolution
has been adopted by the governing body of the municipality
declaring a need therefor; and in the case of a regional
authority, the area within the communities for which the
regional authority is created, except that a regional
authority shall not undertake a land clearance project
within the territorial boundaries of any municipality unless
a resolution has been adopted by the governing body of the
municipality declaring that there is a need for the regional
authority to undertake the land clearance project within
such municipality; no authority shall operate in any area of
operation in which another authority already established is
undertaking or carrying out a land clearance project without
the consent, by resolution, of the other authority;

(2) "Authority" or "land clearance for redevelopment
authority", a public body corporate and politic created by
or pursuant to section 99.330 or any other public body
exercising the powers, rights and duties of such an
authority;
(3) "Blighted area", [an area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use] the same meaning as defined pursuant to section 99.805;

(4) "Bond", any bonds, including refunding bonds, notes, interim certificates, debentures, or other obligations issued by an authority pursuant to this law;

(5) "Clerk", the clerk or other official of the municipality or county who is the custodian of the official records of the municipality or county;

(6) "Community", any county or municipality except that such term shall not include any municipality containing less than seventy-five thousand inhabitants until the governing body thereof shall have submitted the proposition of accepting the provisions of this law to the qualified voters therein at an election called and held as provided by law for the incurring of indebtedness by such municipality, and a majority of the voters voting at the election shall have voted in favor of such proposition;

(7) "Federal government", the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America;

(8) "Governing body", the city council, common council, board of aldermen or other legislative body charged
with governing the municipality or the county commission or other legislative body charged with governing the county;

(9) "Insanitary area", an area in which there is a predominance of buildings and improvements which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air sanitation or open spaces, high density of population and overcrowding of buildings, overcrowding of land, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare;

(10) "Land clearance project", any work or undertaking:

(a) To acquire blighted, or insanitary areas or portions thereof, including lands, structures, or improvements the acquisition of which is necessary or incidental to the proper clearance, development or redevelopment of the blighted or insanitary areas or to the prevention of the spread or recurrence of substandard or insanitary conditions or conditions of blight;

(b) To clear any such areas by demolition or removal of existing buildings, structures, streets, utilities or other improvements thereon and to install, construct or reconstruct streets, utilities, and site improvements essential to the preparation of sites for uses in accordance with a redevelopment plan;

(c) To sell, lease or otherwise make available land in such areas for residential, recreational, commercial, industrial or other use or for public use or to retain such land for public use, in accordance with a redevelopment plan;
(d) To develop, construct, reconstruct, rehabilitate, repair or improve residences, houses, buildings, structures and other facilities;

(e) The term "land clearance project" may also include the preparation of a redevelopment plan, the planning, survey and other work incident to a land clearance project and the preparation of all plans and arrangements for carrying out a land clearance project and wherever the words "land clearance project" are used in this law, they shall also mean and include the words "urban renewal project" as defined in this section;

(11) "Mayor", the elected mayor of the city or the elected officer having the duties customarily imposed upon the mayor of the city or the executive head of a county;

(12) "Municipality", any incorporated city, town or village in the state;

(13) "Obligee", any bondholders, agents or trustees for any bondholders, lessor demising to the authority property used in connection with land clearance project, or any assignee or assignees of the lessor's interest or any part thereof, and the federal government when it is a party to any contract with the authority;

(14) "Person", any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and shall include any trustee, receiver, assignee, or other similar representative thereof;

(15) "Public body", the state or any municipality, county, township, board, commission, authority, district, or any other subdivision of the state;

(16) "Real property", all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith,
and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens;

(17) "Redeveloper", any person, partnership, or public or private corporation or agency which enters or proposes to enter into a redevelopment or rehabilitation or renewal contract;

(18) "Redevelopment contract", a contract entered into between an authority and redeveloper for the redevelopment, rehabilitation or renewal of an area in conformity with a redevelopment plan or an urban renewal plan;

(19) "Redevelopment", the process of undertaking and carrying out a redevelopment plan or urban renewal plan;

(20) "Redevelopment plan", a plan other than a preliminary or tentative plan for the acquisition, clearance, reconstruction, rehabilitation, renewal or future use of a land clearance project area, and shall be sufficiently complete to comply with subdivision (4) of section 99.430 and shall be in compliance with a "workable program" for the city as a whole and wherever used in sections 99.300 to 99.660 the words "redevelopment plan" shall also mean and include "urban renewal plan" as defined in this section;

(21) "Urban renewal plan", a plan as it exists from time to time, for an urban renewal project, which plan shall conform to the general plan for the municipality as a whole; and shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the area of the urban renewal project, zoning and planning changes, if any, land uses,
maximum densities, building requirements, and the
relationship of the plan to definite local objectives
respecting appropriate land uses, improved traffic, public
transportation, public utilities, recreational and community
facilities, and other public improvements; an urban renewal
plan shall be prepared and approved pursuant to the same
procedure as provided with respect to a redevelopment plan;
(22) "Urban renewal project", any surveys, plans,
undertakings and activities for the elimination and for the
prevention of the spread or development of insanitary,
blighted, deteriorated or deteriorating areas and may
involve any work or undertaking for such purpose
constituting a land clearance project or any rehabilitation
or conservation work, or any combination of such undertaking
or work in accordance with an urban renewal project; for
this purpose, "rehabilitation or conservation work" may
include:
(a) Carrying out plans for a program of voluntary or
compulsory repair and rehabilitation of buildings or other
improvements;
(b) Acquisition of real property and demolition,
removal or rehabilitation of buildings and improvements
thereon where necessary to eliminate unhealthful, insanitary
or unsafe conditions, lessen density, eliminate uneconomic,
obsolete or other uses detrimental to the public welfare, or
to otherwise remove or prevent the spread of blight or
deterioration, or to provide land for needed public
facilities;
(c) To develop, construct, reconstruct, rehabilitate,
repair or improve residences, houses, buildings, structures
and other facilities;
(d) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out the objectives of the urban renewal project; and

(e) The disposition, for uses in accordance with the objectives of the urban renewal project, of any property or part thereof acquired in the area of the project; but such disposition shall be in the manner prescribed in this law for the disposition of property in a land clearance project area;

(23) "Workable program", an official plan of action, as it exists from time to time, for effectively dealing with the problem in insanitary, blighted, deteriorated or deteriorating areas within the community and for the establishment and preservation of a well-planned community with well-organized residential neighborhoods of decent homes and suitable living environment for adequate family life, for utilizing appropriate private and public resources to eliminate and prevent the development or spread of insanitary, blighted, deteriorated or deteriorating areas, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, insanitary, deteriorated and deteriorating areas, or to undertake such of the aforesaid activities or other feasible community activities as may be suitably employed to achieve the objectives of such a program.

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

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

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

(3) "Conservation area", any improved area within the
boundaries of a redevelopment area located within the
territorial limits of a municipality in which fifty percent
or more of the structures in the area have an age of thirty-
five years or more. Such an area is not yet a blighted area
but is detrimental to the public health, safety, [morals,]
or welfare and may become a blighted area because of any one
or more of the following factors: dilapidation;
obsolescence; deterioration; illegal use of individual
structures; presence of structures below minimum code
standards; abandonment; excessive vacancies; overcrowding of
structures and community facilities; lack of ventilation,
light or sanitary facilities; inadequate utilities;
excessive land coverage; deleterious land use or layout;
depreciation of physical maintenance; and lack of community
planning. A conservation area shall meet at least three of
the factors provided in this subdivision for projects
approved on or after December 23, 1997. For all
redevelopment plans and projects approved on or after
January 1, 2022, in retail areas, a conservation area shall
meet the dilapidation factor as one of the three factors required under this subdivision;

(4) "Economic activity taxes", the total additional revenue from taxes which are imposed by a municipality and other taxing districts, and which are generated by economic activities within a redevelopment area over the amount of such taxes generated by economic activities within such redevelopment area in the calendar year prior to the adoption of the ordinance designating such a redevelopment area, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments.

For redevelopment projects or redevelopment plans approved after December 23, 1997, if a retail establishment relocates within one year from one facility to another facility within the same county and the governing body of the municipality finds that the relocation is a direct beneficiary of tax increment financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from economic activity taxes which are imposed by a municipality or other taxing district over the amount of economic activity taxes generated by the retail establishment in the calendar year prior to its relocation to the redevelopment area;

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

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

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

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

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

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

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

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

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

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

(12) "Port infrastructure project", docks and associated equipment, cargo and passenger terminals, storage warehouses, or any other similar infrastructure directly related to port facilities located in a port district created pursuant to the provisions of chapter 68 and located within one-half of one mile of a navigable waterway;

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

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

[(14)] (15) "Redevelopment project", any development project within a redevelopment area in furtherance of the objectives of the redevelopment plan; any such redevelopment project shall include a legal description of the area selected for the redevelopment project;

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

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

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

(17) "Retail area", a proposed redevelopment building area for which more than fifty percent of the usable building square footage in the area is projected to be used by retail businesses, which shall be businesses that primarily sell or offer to sell goods to a buyer primarily for the buyer's personal, family, or household use and not primarily for business, commercial, or agricultural use;

(18) "Retail infrastructure projects", highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks, storm water and drainage systems, or any other similar public improvements, but in no case shall retail infrastructure projects include private structures;

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

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

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

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

99.810. 1. Each redevelopment plan shall set forth in writing a general description of the program to be
undertaken to accomplish the objectives and shall include, but need not be limited to, the estimated redevelopment project costs, the anticipated sources of funds to pay the costs, evidence of the commitments to finance the project costs, the anticipated type and term of the sources of funds to pay costs, the anticipated type and terms of the obligations to be issued, the most recent equalized assessed valuation of the property within the redevelopment area which is to be subjected to payments in lieu of taxes and economic activity taxes pursuant to section 99.845, an estimate as to the equalized assessed valuation after redevelopment, and the general land uses to apply in the redevelopment area. No redevelopment plan shall be adopted by a municipality without findings that:

(1) The redevelopment area on the whole is a blighted area, a conservation area, or an economic development area, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. Such a finding shall include, but not be limited to, a study prepared by a land use planner, urban planner, licensed architect, licensed commercial real estate appraiser, or licensed attorney, which includes a detailed description of the factors that qualify the redevelopment area or project pursuant to this subdivision and an affidavit, signed by the developer or developers and submitted with the redevelopment plan, attesting that the provisions of this subdivision have been met;

(2) The redevelopment plan conforms to the comprehensive plan for the development of the municipality as a whole;
(3) The estimated dates, which shall not be more than twenty-three years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, of completion of any redevelopment project and retirement of obligations incurred to finance redevelopment project costs have been stated, provided that no ordinance approving a redevelopment project shall be adopted later than ten years from the adoption of the ordinance approving the redevelopment plan under which such project is authorized and provided that no property for a redevelopment project shall be acquired by eminent domain later than five years from the adoption of the ordinance approving such redevelopment project;

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

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

(6) A finding that the plan does not include the initial development or redevelopment of any gambling establishment, provided however, that this subdivision shall be applicable only to a redevelopment plan adopted for a redevelopment area designated by ordinance after December 23, 1997.
2. Tax increment allocation financing shall not be adopted under sections 99.800 to 99.865 in a retail area unless such financing is exclusively utilized to fund retail infrastructure projects or unless such area is a blighted area or conservation area. The provisions of this subsection shall not apply to any tax increment allocation financing project or plan approved before August 28, 2021, nor to any amendment to tax increment allocation financing projects and plans where such projects or plans were originally approved before August 28, 2021, provided that such an amendment does not add buildings of new construction in excess of twenty-five percent of the scope of the original redevelopment agreement.

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

99.820. 1. A municipality may:

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

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

(3) Pursuant to a redevelopment plan, subject to any
constitutional limitations, acquire by purchase, donation,
lease or, as part of a redevelopment project, eminent
domain, own, convey, lease, mortgage, or dispose of land and
other property, real or personal, or rights or interests
therein, and grant or acquire licenses, easements and
options with respect thereto, all in the manner and at such
price the municipality or the commission determines is
reasonably necessary to achieve the objectives of the
redevelopment plan. No conveyance, lease, mortgage,
disposition of land or other property, acquired by the
municipality, or agreement relating to the development of
the property shall be made except upon the adoption of an
ordinance by the governing body of the municipality. Each
municipality or its commission shall establish written
procedures relating to bids and proposals for implementation
of the redevelopment projects. Furthermore, no conveyance,
lease, mortgage, or other disposition of land or agreement
relating to the development of property shall be made
without making public disclosure of the terms of the
disposition and all bids and proposals made in response to
the municipality's request. Such procedures for obtaining
such bids and proposals shall provide reasonable opportunity
for any person to submit alternative proposals or bids;
(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

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

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

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

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

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

(10) Incur redevelopment costs and issue obligations;

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

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

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

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

(c) Surplus revenues, other than payments in lieu of
taxes and economic activity taxes, deposited in the special
allocation fund, shall be distributed on a basis that is
proportional to the total receipt of such other revenues in
such account in the year prior to disbursement;

(13) If any member of the governing body of the
municipality, a member of a commission established pursuant
to subsection 2 or 3 of this section, or an employee or
consultant of the municipality, involved in the planning and
preparation of a redevelopment plan, or redevelopment
project for a redevelopment area or proposed redevelopment
area, owns or controls an interest, direct or indirect, in
any property included in any redevelopment area, or proposed
redevelopment area, which property is designated to be
acquired or improved pursuant to a redevelopment project, he
or she shall disclose the same in writing to the clerk of
the municipality, and shall also so disclose the dates,
terms, and conditions of any disposition of any such
interest, which disclosures shall be acknowledged by the
governing body of the municipality and entered upon the
minutes books of the governing body of the municipality. If
an individual holds such an interest, then that individual
shall refrain from any further official involvement in
regard to such redevelopment plan, redevelopment project or
redevelopment area, from voting on any matter pertaining to
such redevelopment plan, redevelopment project or
redevelopment area, or communicating with other members
concerning any matter pertaining to that redevelopment plan,
redevelopment project or redevelopment area. Furthermore,
no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

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

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

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;
(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

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

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

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

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

(7) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of
a redevelopment area is considered for approval by the
commission, or for a definite term pursuant to this
subdivision. If the members representing school districts
and other taxing districts are appointed for a term
coinciding with the length of time a redevelopment project,
plan or area is approved, such term shall terminate upon
final approval of the project, plan or designation of the
area by the governing body of the municipality. Thereafter
the commission shall consist of the six members appointed by
the municipality, except that members representing school
boards and other taxing districts shall be appointed as
provided in this section prior to any amendments to any
redevelopment plans, redevelopment projects or designation
of a redevelopment area. If any school district or other
taxing jurisdiction fails to appoint members of the
commission within thirty days of receipt of written notice
of a proposed redevelopment plan, redevelopment project or
designation of a redevelopment area, the remaining members
may proceed to exercise the power of the commission. Of the
members first appointed by the municipality, two shall be
designated to serve for terms of two years, two shall be
designated to serve for a term of three years and two shall
be designated to serve for a term of four years from the
date of such initial appointments. Thereafter, the members
appointed by the municipality shall serve for a term of four
years, except that all vacancies shall be filled for
unexpired terms in the same manner as were the original
appointments. Members appointed by the county executive or
presiding commissioner prior to August 28, 2008, shall
continue their service on the commission established in
subsection 3 of this section without further appointment
unless the county executive or presiding commissioner
appoints a new member or members.

3. Beginning August 28, 2008:

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

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

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

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

   (d) One member to represent all other districts
levying ad valorem taxes in the proposed redevelopment area
in a manner in which all such districts agree.
No city, town, or village subject to this subsection shall create or maintain a commission under subsection 2 of this section, except as necessary to complete a public hearing for which notice under section 99.830 has been provided prior to August 28, 2008, and to vote or make recommendations relating to redevelopment plans, redevelopment projects, or designation of redevelopment areas, or amendments thereto that were the subject of such public hearing;

(2) Members appointed to the commission created under this subsection, except those six members appointed by either the county executive or presiding commissioner, shall serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan, or designation of a redevelopment area is considered for approval by the commission. The six members appointed by either the county executive or the presiding commissioner shall serve on all such commissions until replaced. The city, town, or village that creates a commission under this subsection shall send notice thereof by certified mail to the county executive or presiding commissioner, to the school districts whose boundaries include any portion of the proposed redevelopment area, and to the other taxing districts whose boundaries include any portion of the proposed redevelopment area. The city, town, or village that creates the commission shall also be solely responsible for notifying all other cities, towns, and villages in the county that have tax increment financing districts and shall exercise all administrative functions of the commission. The school districts receiving notice from the city, town, or village shall be solely responsible for notifying the other school districts within the county of the formation of
the commission. If the county, school board, or other taxing district fails to appoint members to the commission within thirty days after the city, town, or village sends the written notice, as provided herein, that it has convened such a commission or within thirty days of the expiration of any such member's term, the remaining duly appointed members of the commission may exercise the full powers of the commission.

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

(2) Any commission created under subsection 2 of this section shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

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

5. It shall be the policy of the state that each
redevelopment plan or project of a municipality be carried
out with full transparency to the public. The records of
the tax increment financing commission including, but not
limited to, commission votes and actions, meeting minutes,
summaries of witness testimony, data, and reports submitted
to the commission shall be retained by the governing body of
the municipality that created the commission and shall be
made available to the public in accordance with chapter 610.
99.821. Notwithstanding any provision of sections 99.800 to 99.865 to the contrary, redevelopment plans approved or amended after December 31, 2021, by a city not within a county may provide for the deposit of up to ten percent of the tax increment financing revenues generated pursuant to section 99.845 into a strategic infrastructure for economic growth fund established by such city in lieu of deposit into the special allocation fund. Moneys deposited into the strategic infrastructure for economic growth fund pursuant to this section may be expended by the city establishing such fund for the purpose of funding capital investments in public infrastructure that the governing body of such city has determined to be in a census tract that is defined as a low-income community pursuant to 26 U.S.C. Section 45D(e) or is eligible to be designated as a qualified opportunity zone pursuant to 26 U.S.C. Section 1400Z-1.

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

99.847. 1. Notwithstanding the provisions of sections 99.800 to 99.865 to the contrary, for all years ending on or before December 31, 2021, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a
county with a charter form of government with greater than
two hundred fifty thousand inhabitants but fewer than three
hundred thousand inhabitants, unless the redevelopment area
actually abuts a river or a major waterway and is
substantially surrounded by contiguous properties with
residential, industrial, or commercial zoning
classifications. Notwithstanding the provisions of sections
99.800 to 99.865 to the contrary, for all years beginning on
or after January 1, 2022, no new tax increment financing
project shall be authorized in any area which is within an
area designated as flood plain by the Federal Emergency
Management Agency unless such project is located in:
(1) A county with a charter form of government and
with more than six hundred thousand but fewer than seven
hundred thousand inhabitants;
(2) A county of the first classification with more
than two hundred thousand but fewer than two hundred sixty
thousand inhabitants;
(3) A county of the first classification with more
than eighty-three thousand but fewer than ninety-two
thousand inhabitants and with a city of the fourth
classification with more than four thousand five hundred but
fewer than five thousand inhabitants as the county seat;
(4) A county of the first classification with more
than seventy thousand but fewer than eighty-three thousand
inhabitants and with a home rule city with more than forty-
one thousand but fewer than forty-seven thousand inhabitants
as the county seat;
(5) A home rule city with more than seventy-one
thousand but fewer than seventy-nine thousand inhabitants;
(6) A home rule city with more than one hundred fifty-five thousand but fewer than two hundred thousand inhabitants;

(7) A home rule city with more than seventeen thousand but fewer than nineteen thousand inhabitants and partially located in any county of the third classification without a township form of government and with more than twenty-six thousand but fewer than twenty-nine thousand inhabitants;

(8) A home rule city with more than forty-one thousand but fewer than forty-seven thousand inhabitants and partially located in any county of the first classification with more than seventy thousand but fewer than eighty-three thousand inhabitants;

(9) A port district created under the provisions of chapter 68, provided that such financing is exclusively utilized to fund a port infrastructure project that is approved by the port authority; or

(10) A levee district created pursuant to chapter 245 or a drainage district created pursuant to chapter 242 or chapter 243 prior to August 28, 2021.

2. This [subsection] section shall not apply to tax increment financing projects or districts approved prior to July 1, 2003, and shall allow [the aforementioned] such tax increment financing projects to modify, amend, or expand such projects, including redevelopment project costs, by not more than forty percent of such project original projected cost, including redevelopment project costs, as such projects, including redevelopment project costs [as such projects redevelopment projects including redevelopment project costs], existed as of June 30, 2003, and shall allow [the aforementioned] such tax increment financing district
to modify, amend, or expand such districts by not more than five percent as such districts existed as of June 30, 2003.

3. The provisions of subsections 1 and 2 of this section notwithstanding, no new tax increment financing project shall be authorized in any area which is within an area designated as flood plain by the Federal Emergency Management Agency and which is located in or partly within a county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants, unless the redevelopment area actually abuts a river or a major waterway and is substantially surrounded by contiguous properties with residential, industrial, or commercial zoning classifications.

99.848. 1. (1) Notwithstanding subsection 1 of section 99.845, any [district or county] ambulance district board operating under chapter 190, any fire protection district board operating under chapter 321, or any governing body operating a 911 center providing dispatch services under chapter 190 or chapter 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent but not more than one hundred percent of the district's or 911 center's tax increment. This [section] subsection shall not apply to tax increment financing projects or [districts] redevelopment areas approved prior to August 28, 2004.

[2.] (2) Beginning August 28, 2018, an ambulance district board operating under chapter 190, a fire protection district board operating under chapter 321, or the governing body of a county operating a 911 center providing emergency or dispatch services under chapter 190
or chapter 321 imposing a property tax for the purpose of providing emergency services pursuant to chapter 190 or chapter 321 shall annually set the reimbursement rate under this subsection [1 of this section] prior to [the time the assessment is paid into the special allocation fund] November thirtieth preceding the calendar year for which the annual reimbursement is being set. If the redevelopment plan, area, or project is amended by ordinance or by other means after August 28, 2018, the ambulance or fire protection district board or the governing body of a county operating a 911 center providing emergency or dispatch services under chapter 190 or chapter 321 shall have the right to recalculate the reimbursement rate under this [section] subdivision.

2. (1) Notwithstanding subsection 1 of section 99.845, any ambulance district board operating under chapter 190, any fire protection district operating under chapter 321, or any governing body operating a 911 center imposing an economic activities tax for the purposes of providing emergency services pursuant to chapter 190 or chapter 321 shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent but not more than one hundred percent of the district's or 911 center's tax increment. This subsection shall not apply to tax increment financing projects or redevelopment areas approved prior to August 28, 2021.

(2) Beginning August 28, 2021, any ambulance district board operating under chapter 190, any fire protection district operating under chapter 321, or any governing body operating a 911 center providing dispatch services under chapter 190 or chapter 321 shall annually set the reimbursement rate under this subsection prior to November
thirtieth preceding the calendar year for which the annual reimbursement is being set. If the redevelopment plan, area, or project is amended by ordinance or by other means after August 28, 2021, the ambulance or fire protection district board or the governing body of a county operating a 911 center providing emergency or dispatch services under chapter 190 or chapter 321 shall have the right to recalculate the reimbursement rate under this subdivision.

99.918. As used in sections 99.915 to 99.980, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Authority", the downtown economic stimulus authority for a municipality, created pursuant to section 99.921;

(2) "Baseline year", the calendar year prior to the adoption of an ordinance by the municipality approving a development project; provided, however, if economic activity taxes or state sales tax revenues, from businesses other than any out-of-state business or businesses locating in the development project area, decrease in the development project area in the year following the year in which the ordinance approving a development project is approved by a municipality, the baseline year may, at the option of the municipality approving the development project, be the year following the year of the adoption of the ordinance approving the development project. When a development project area is located within a county for which public and individual assistance has been requested by the governor pursuant to Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor pursuant to section 44.100 due to a natural disaster of major
proportions that occurred after May 1, 2003, but prior to May 10, 2003, and the development project area is a central business district that sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency, the baseline year may, at the option of the municipality approving the development project, be the calendar year in which the natural disaster occurred or the year following the year in which the natural disaster occurred, provided that the municipality adopts an ordinance approving the development project within one year after the occurrence of the natural disaster;

(3) "Blighted area", [an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use] the same meaning as defined pursuant to section 99.805;

(4) "Central business district", the area at or near the historic core that is locally known as the "downtown" of a municipality that has a median household income of sixty-two thousand dollars or less, according to the United States Census Bureau's American Community Survey, based on the most recent of five-year period estimate data in which the final year of the estimate ends in either zero or five. In addition, at least fifty percent of existing buildings in this area will have been built in excess of thirty-five years prior or vacant lots that had prior structures built
in excess of thirty-five years prior to the adoption of the ordinance approving the redevelopment plan. The historical land use emphasis of a central business district prior to redevelopment will have been a mixed use of business, commercial, financial, transportation, government, and multifamily residential uses;

(5) "Collecting officer", the officer of the municipality responsible for receiving and processing payments in lieu of taxes, economic activity taxes other than economic activity taxes which are local sales taxes, and other local taxes other than local sales taxes, and, for local sales taxes and state taxes, the director of revenue;

(6) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more, and such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning;

(7) "Development area", an area designated by a municipality in respect to which the municipality has made a finding that there exist conditions which cause the area to
be classified as a blighted area or a conservation area, which area shall have the following characteristics:

(a) It includes only those parcels of real property directly and substantially benefitted by the proposed development plan;

(b) It can be renovated through one or more development projects;

(c) It is located in the central business district;

(d) It has generally suffered from declining population or property taxes for the twenty-year period immediately preceding the area's designation as a development area or has structures in the area fifty percent or more of which have an age of thirty-five years or more;

(e) It is contiguous, provided, however that a development area may include up to three noncontiguous areas selected for development projects, provided that each noncontiguous area meets the requirements of paragraphs (a) to (g) herein;

(f) The development area shall not exceed ten percent of the entire area of the municipality; and

(g) The development area shall not include any property that is located within the one hundred year flood plain, as designated by the Federal Emergency Management Agency flood delineation maps, unless such property is protected by a structure that is inspected and certified by the United States Army Corps of Engineers. This subdivision shall not apply to property within the one hundred year flood plain if the buildings on the property have been or will be flood proofed in accordance with the Federal Emergency Management Agency's standards for flood proofing and the property is located in a home rule city with more than one hundred fifty-one thousand five hundred but fewer
than one hundred fifty-one thousand six hundred
inhabitants. Only those buildings certified as being flood
proofed in accordance with the Federal Emergency Management
Agency's standards for flood proofing by the authority shall
be eligible for the state sales tax increment and the state
income tax increment. Subject to the limitation set forth
in this subdivision, the development area can be enlarged or
modified as provided in section 99.951;

(8) "Development plan", the comprehensive program of a
municipality to reduce or eliminate those conditions which
qualified a development area as a blighted area or a
conservation area, and to thereby enhance the tax bases of
the taxing districts which extend into the development area
through the reimbursement, payment, or other financing of
development project costs in accordance with sections 99.915
to 99.980 and through the exercise of the powers set forth
in sections 99.915 to 99.980. The development plan shall
conform to the requirements of section 99.942;

(9) "Development project", any development project
within a development area which constitutes a major
initiative in furtherance of the objectives of the
development plan, and any such development project shall
include a legal description of the area selected for such
development project;

(10) "Development project area", the area located
within a development area selected for a development project;

(11) "Development project costs" include such costs to
the development plan or a development project, as
applicable, which are expended on public property,
buildings, or rights-of-ways for public purposes to provide
infrastructure to support a development project. Such costs
shall only be allowed as an initial expense which, to be
recoverable, must be included in the costs of a development plan or development project, except in circumstances of plan amendments approved by the Missouri development finance board and the department of economic development. Such infrastructure costs include, but are not limited to, the following:

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

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning, or special services;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

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

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

(f) Financing costs, including, but not limited to, all necessary expenses related to the issuance of obligations issued to finance all or any portion of the infrastructure costs of one or more development projects, and which may include capitalized interest on any such obligations and reasonable reserves related to any such obligations;

(g) All or a portion of a taxing district's capital costs resulting from any development project necessarily incurred or to be incurred in furtherance of the objectives of the development plan, to the extent the municipality by written agreement accepts and approves such infrastructure costs;
(h) Payments to taxing districts on a pro rata basis to partially reimburse taxes diverted by approval of a development project;

(i) State government costs, including, but not limited to, the reasonable costs incurred by the department of economic development, the department of revenue and the office of administration in evaluating an application for and administering state supplemental downtown development financing for a development project; and

(j) Endowment of positions at an institution of higher education which has a designation as a Carnegie Research I University including any campus of such university system, subject to the provisions of section 99.958. In addition, economic activity taxes and payment in lieu of taxes may be expended on or used to reimburse any reasonable or necessary costs incurred or estimated to be incurred in furtherance of a development plan or a development project;

(12) "Economic activity taxes", the total additional revenue from taxes which are imposed by the municipality and other taxing districts, and which are generated by economic activities within each development project area, which are not related to the relocation of any out-of-state business into the development project area, which exceed the amount of such taxes generated by economic activities within such development project area in the baseline year plus, in development project areas where the baseline year is the year following the year in which the development project is approved by the municipality pursuant to subdivision (2) of this section, the total revenue from taxes which are imposed by the municipality and other taxing districts which is generated by economic activities within the development project area resulting from the relocation of an out-of-
state business or out-of-state businesses to the development project area pursuant to section 99.919; but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees, or special assessments. If a retail establishment relocates within one year from one facility to another facility within the same county and the municipality or authority finds that the retail establishment is a direct beneficiary of development financing, then for purposes of this definition, the economic activity taxes generated by the retail establishment shall equal the total additional revenues from taxes which are imposed by the municipality and other taxing districts which are generated by the economic activities within the development project area which exceed the amount of taxes which are imposed by the municipality and other taxing districts which are generated by economic activities within the development project area generated by the retail establishment in the baseline year;

(13) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose sole purpose is to provide goods or services to an excursion gambling boat and whose majority ownership interest is held by a person licensed to conduct gambling games on an excursion gambling boat or licensed to operate an excursion gambling boat as provided in sections 313.800 to 313.850;

(14) "Major initiative", a development project within a central business district that:

(a) Promotes tourism, cultural activities, arts, entertainment, education, research, arenas, multipurpose facilities, libraries, ports, mass transit, museums, or
conventions, the estimated cost of which is in excess of the amount set forth below for the municipality, as applicable;

or

(b) Promotes business location or expansion, the estimated cost of which is in excess of the amount set forth below for the municipality, and is estimated to create at least as many new jobs as set forth below within three years of such location or expansion:

<table>
<thead>
<tr>
<th>Population of Municipality</th>
<th>Estimated Project Cost</th>
<th>New Jobs Created</th>
</tr>
</thead>
<tbody>
<tr>
<td>300,000 or more</td>
<td>$10,000,000</td>
<td>at least 100</td>
</tr>
<tr>
<td>100,000 to 299,999</td>
<td>$5,000,000</td>
<td>at least 50</td>
</tr>
<tr>
<td>50,001 to 99,999</td>
<td>$1,000,000</td>
<td>at least 10</td>
</tr>
<tr>
<td>50,000 or less</td>
<td>$500,000</td>
<td>at least 5;</td>
</tr>
</tbody>
</table>

(15) "Municipality", any city, village, incorporated town, or any county of this state established on or prior to January 1, 2001, or a census-designated place in any county designated by the county for purposes of sections 99.915 to 99.1060;

(16) "New job", any job defined as a new job pursuant to subdivision (11) of section 100.710;

(17) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by the municipality or authority, or other public entity authorized to issue such obligations pursuant to sections 99.915 to 99.980 to carry out a development project or to refund outstanding obligations;
(18) "Ordinance", an ordinance enacted by the governing body of any municipality or an order of the governing body of such a municipal entity whose governing body is not authorized to enact ordinances;

(19) "Other net new revenues", the amount of state sales tax increment or state income tax increment or the combination of the amount of each such increment as determined under section 99.960;

(20) "Out-of-state business", a business entity or operation that has been located outside of the state of Missouri prior to the time it relocates to a development project area;

(21) "Payment in lieu of taxes", those revenues from real property in each development project area, which taxing districts would have received had the municipality not adopted a development plan and the municipality not adopted development financing, and which would result from levies made after the time of the adoption of development financing during the time the current equalized value of real property in such development project area exceeds the total equalized value of real property in such development project area during the baseline year until development financing for such development project area expires or is terminated pursuant to sections 99.915 to 99.980;

(22) "Special allocation fund", the fund of the municipality or its authority required to be established pursuant to section 99.957 which special allocation fund shall contain at least four separate segregated accounts into which payments in lieu of taxes are deposited in one account, economic activity taxes are deposited in a second account, other net new revenues are deposited in a third account, and other revenues, if any, received by the
authority or the municipality for the purpose of
implementing a development plan or a development project are
deposited in a fourth account;

(23) "State income tax increment", up to fifty percent
of the estimate of the income tax due the state for salaries
or wages paid to new employees in new jobs at a business
located in the development project area and created by the
development project. The estimate shall be a percentage of
the gross payroll which percentage shall be based upon an
analysis by the department of revenue of the practical tax
rate on gross payroll as a factor in overall taxable income;

(24) "State sales tax increment", up to one-half of
the incremental increase in the state sales tax revenue in
the development project area. In no event shall the
incremental increase include any amounts attributable to
retail sales unless the Missouri development finance board
and the department of economic development are satisfied
based on information provided by the municipality or
authority, and such entities have made a finding that a
substantial portion of all but a de minimus portion of the
sales tax increment attributable to retail sales is from new
sources which did not exist in the state during the baseline
year. The incremental increase for an existing facility
shall be the amount by which the state sales tax revenue
generated at the facility exceeds the state sales tax
revenue generated at the facility in the baseline year. The
incremental increase in development project areas where the
baseline year is the year following the year in which the
development project is approved by the municipality pursuant
to subdivision (2) of this section shall be the state sales
tax revenue generated by out-of-state businesses relocating
into a development project area. The incremental increase
for a Missouri facility which relocates to a development project area shall be the amount by which the state sales tax revenue of the facility exceeds the state sales tax revenue for the facility in the calendar year prior to relocation;

(25) "State sales tax revenues", the general revenue portion of state sales tax revenues received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated, taxes deposited to the school district trust fund in accordance with section 144.701, sales and use taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by law;

(26) "Taxing district's capital costs", those costs of taxing districts for capital improvements that are found by the municipal governing bodies to be necessary and to directly result from a development project; and

(27) "Taxing districts", any political subdivision of this state having the power to levy taxes.

99.1082. As used in sections 99.1080 to 99.1092, unless the context clearly requires otherwise, the following terms shall mean:

(1) "Baseline year", the calendar year prior to the adoption of an ordinance by the municipality approving a redevelopment project; provided, however, if local sales tax revenues or state sales tax revenues, from businesses other than any out-of-state business or businesses locating in the redevelopment project area, decrease in the redevelopment project area in the year following the year in which the ordinance approving a redevelopment project is approved by a municipality, the baseline year may, at the option of the municipality approving the redevelopment project, be the year following the year of the adoption of the ordinance
approving the redevelopment project. When a redevelopment project area is located within a county for which public and individual assistance has been requested by the governor under Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., for an emergency proclaimed by the governor under section 44.100 due to a natural disaster of major proportions and the redevelopment project area is a central business district that sustained severe damage as a result of such natural disaster, as determined by the state emergency management agency, the baseline year may, at the option of the municipality approving the redevelopment project, be the calendar year in which the natural disaster occurred or the year following the year in which the natural disaster occurred, provided that the municipality adopts an ordinance approving the redevelopment project within one year after the occurrence of the natural disaster;

(2) "Blighted area", [an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use] the same meaning as defined pursuant to section 99.805;

(3) "Central business district", the area at or near the historic core that is locally known as the "downtown" of a municipality that has a median household income of sixty-two thousand dollars or less, according to the United States
Census Bureau's American Community Survey, based on the most recent of five-year period estimate data in which the final year of the estimate ends in either zero or five. In addition, at least fifty percent of existing buildings in this area will have been built in excess of thirty-five years prior or vacant lots that had prior structures built in excess of thirty-five years prior to the adoption of the ordinance approving the redevelopment plan. The historical land use emphasis of a central business district prior to redevelopment will have been a mixed use of business, commercial, financial, transportation, government, and multifamily residential uses;

(4) "Conservation area", any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more, and such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning;

(5) "Gambling establishment", an excursion gambling boat as defined in section 313.800 and any related business facility including any real property improvements which are directly and solely related to such business facility, whose
sole purpose is to provide goods or services to an excursion
gambling boat and whose majority ownership interest is held
by a person licensed to conduct gambling games on an
excursion gambling boat or licensed to operate an excursion
gambling boat as provided in sections 313.800 to 313.850;
(6) "Local sales tax increment", at least fifty
percent of the local sales tax revenue from taxes that are
imposed by a municipality and its county, and that are
generated by economic activities within a redevelopment area
over the amount of such taxes generated by economic
activities within such a redevelopment area in the calendar
year prior to the adoption of the ordinance designating such
a redevelopment area while financing under sections 99.1080
to 99.1092 remains in effect, but excluding personal
property taxes, taxes imposed on sales or charges for
sleeping rooms paid by transient guests of hotels and
motels, licenses, fees, or special assessments; provided
however, the governing body of any county may, by
resolution, exclude any portion of any countywide sales tax
of such county. For redevelopment projects or redevelopment
plans approved after August 28, 2005, if a retail
establishment relocates within one year from one facility
within the same county and the governing body of the
municipality finds that the retail establishment is a direct
beneficiary of tax increment financing, then for the
purposes of this subdivision, the economic activity taxes
generated by the retail establishment shall equal the total
additional revenues from economic activity taxes that are
imposed by a municipality or other taxing district over the
amount of economic activity taxes generated by the retail
establishment in the calendar year prior to its relocation
to the redevelopment area;
(7) "Local sales tax revenue", city sales tax revenues received under sections 94.500 to 94.550 and county sales tax revenues received under sections 67.500 to 67.594;

(8) "Major initiative", a development project within a central business district which promotes tourism, cultural activities, arts, entertainment, education, research, arenas, multipurpose facilities, libraries, ports, mass transit, museums, economic development, or conventions for the municipality, and where the capital investment within the redevelopment project area is:

(a) At least five million dollars for a project area within a city having a population of one hundred thousand to one hundred ninety-nine thousand nine hundred and ninety-nine inhabitants;

(b) At least one million dollars for a project area within a city having a population of fifty thousand to ninety-nine thousand nine hundred and ninety-nine inhabitants;

(c) At least five hundred thousand dollars for a project area within a city having a population of ten thousand to forty-nine thousand nine hundred and ninety-nine inhabitants; or

(d) At least two hundred fifty thousand dollars for a project area within a city having a population of one to nine thousand nine hundred and ninety-nine inhabitants;

(9) "Municipality", any city or county of this state having fewer than two hundred thousand inhabitants;

(10) "Obligations", bonds, loans, debentures, notes, special certificates, or other evidences of indebtedness issued by the municipality or authority, or other public entity authorized to issue such obligations under sections
99.1080 to 99.1092 to carry out a redevelopment project or
to refund outstanding obligations;

(11) "Ordinance", an ordinance enacted by the
governing body of any municipality;

(12) "Redevelopment area", an area designated by a
municipality in respect to which the municipality has made a
finding that there exist conditions which cause the area to
be classified as a blighted area or a conservation area,
which area shall have the following characteristics:

(a) It can be renovated through one or more
redevelopment projects;

(b) It is located in the central business district;

(c) The redevelopment area shall not exceed ten
percent of the entire geographic area of the municipality.

Subject to the limitation set forth in this subdivision, the
redevelopment area can be enlarged or modified as provided
in section 99.1088;

(13) "Redevelopment plan", the comprehensive program
of a municipality to reduce or eliminate those conditions
which qualify a redevelopment area as a blighted area or a
conservation area, and to thereby enhance the tax bases of
the taxing districts which extend into the redevelopment
area through the reimbursement, payment, or other financing
of redevelopment project costs in accordance with sections
99.1080 to 99.1092 and through application for and
administration of downtown revitalization preservation
program financing under sections 99.1080 to 99.1092;

(14) "Redevelopment project", any redevelopment
project within a redevelopment area which constitutes a
major initiative in furtherance of the objectives of the
redevelopment plan, and any such redevelopment project shall
include a legal description of the area selected for such redevelopment project;

(15) "Redevelopment project area", the area located within a redevelopment area selected for a redevelopment project;

(16) "Redevelopment project costs" include such costs to the redevelopment plan or a redevelopment project, as applicable, which are expended on public property, buildings, or rights-of-way for public purposes to provide infrastructure to support a redevelopment project, including facades. Such costs shall only be allowed as an initial expense which, to be recoverable, must be included in the costs of a redevelopment plan or redevelopment project, except in circumstances of plan amendments approved by the department of economic development. Such infrastructure costs include, but are not limited to, the following:

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

(b) Professional service costs, including, but not limited to, architectural, engineering, legal, marketing, financial, planning, or special services;

(c) Property assembly costs, including, but not limited to, acquisition of land and other property, real or personal, or rights or interests therein, demolition of buildings, and the clearing and grading of land;

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

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

(f) Financing costs, including, but not limited to, all necessary expenses related to the issuance of obligations issued to finance all or any portion of the
infrastructure costs of one or more redevelopment projects,
and which may include capitalized interest on any such
obligations and reasonable reserves related to any such
obligations;
(g) All or a portion of a taxing district's capital
costs resulting from any redevelopment project necessarily
incurred or to be incurred in furtherance of the objectives
of the redevelopment plan, to the extent the municipality by
written agreement accepts and approves such infrastructure
costs;
(h) Payments to taxing districts on a pro rata basis
to partially reimburse taxes diverted by approval of a
redevelopment project when all debt is retired;
(i) State government costs, including, but not limited
to, the reasonable costs incurred by the department of
economic development and the department of revenue in
evaluating an application for and administering downtown
revitalization preservation financing for a redevelopment
project;
(17) "State sales tax increment", up to one-half of
the incremental increase in the state sales tax revenue in
the redevelopment project area provided the local taxing
jurisdictions commit one-half of their local sales tax to
paying for redevelopment project costs. The incremental
increase shall be the amount by which the state sales tax
revenue generated at the facility or within the
redevelopment project area exceeds the state sales tax
revenue generated at the facility or within the
redevelopment project area in the baseline year. For
redevelopment projects or redevelopment plans approved after
August 28, 2005, if a retail establishment relocates within
one year from one facility to another facility within the
same county and the governing body of the municipality finds
that the retail establishment is a direct beneficiary of tax
increment financing, then for the purposes of this
subdivision, the economic activity taxes generated by the
retail establishment shall equal the total additional
revenues from economic activity taxes that are imposed by a
municipality or other taxing district over the amount of
economic activity taxes generated by the retail
establishment in the calendar year prior to the relocation
to the redevelopment area;

(18) "State sales tax revenues", the general revenue
portion of state sales tax revenues received under section
144.020, excluding sales taxes that are constitutionally
dedicated, taxes deposited to the school district trust fund
in accordance with section 144.701, sales and use taxes on
motor vehicles, trailers, boats and outboard motors and
future sales taxes earmarked by law;

(19) "Taxing district's capital costs", those costs of
taxing districts for capital improvements that are found by
the municipal governing bodies to be necessary and to
directly result from a redevelopment project;

(20) "Taxing districts", any political subdivision of
this state having the power to levy taxes.

100.310. As used in this law, the following words and
terms mean:

(1) "Authority", a public body corporate and politic
created by or pursuant to sections of this law or any other
public body exercising the powers, rights and duties of such
an authority;

(2) "Blighted area", [an area which, by reason of the
predominance of defective or inadequate street layout,
insanitary or unsafe conditions, deterioration of site
improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use) the same meaning as defined pursuant to section 99.805;

(3) "Bond", any bonds, including refunding bonds, notes, interim certificates, debentures or other obligations issued by an authority pursuant to this law;

(4) "City", all cities of this state now having or which hereafter have four hundred thousand inhabitants or more according to the last decennial census of the United States or any city that has adopted a home rule charter pursuant to Section 19 of Article VI of the Missouri Constitution;

(5) "Clerk", the official custodian of records of the city;

(6) "Federal government", the United States of America or any agency or instrumentality corporate or otherwise of the United States of America;

(7) "Governing body", the city council, common council, board of aldermen or other legislative body charged with governing the municipality;

(8) "Industrial developer", any person, partnership or public or private corporation or agency which enters or proposes to enter into an industrial development contract;

(9) "Industrial development", the acquisition, clearance, grading, improving, preparing of land for industrial and commercial development and use and the construction, reconstruction, purchase, repair of industrial
and commercial improvements, buildings, plants, additions, stores, shops, shopping centers, office buildings, hotels and motels and parking garages, multi-family housing facilities, warehouses, distribution centers, machines, fixtures, structures and other facilities relating to industrial and commercial use in blighted, insanitary or undeveloped industrial areas; and the existing merchants, residents, and present businesses shall have the first option to redevelop the area under this act;

(10) "Industrial development contract", a contract entered into between an authority and an industrial developer for the industrial development of an area in conformity with a plan;

(11) "Insanitary area", an area in which there is a predominance of buildings and improvements which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation or open spaces, high density of population and overcrowding of buildings, overcrowding of land, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime or constitutes an economic or social liability and is detrimental to the public health, safety, morals or welfare;

(12) "Obligee", any bondholders, agents or trustees for any bondholders, lessor demising to the authority property used in connection with industrial clearance project, or any assignee or assignees of the lessor's interest or any part thereof, and the federal government when it is a party to any contract with the authority;
(13) "Person", any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and shall include any trustee, receiver, assignee or other similar representative thereof;

(14) "Plan", a plan as it exists from time to time for the orderly carrying on of a project of industrial development;

(15) "Project", any work or undertaking:

(a) To acquire blighted, insanitary and undeveloped industrial areas or portions thereof including lands, structures or improvements the acquisition of which is necessary or incidental to the proper industrial development of the blighted, insanitary and undeveloped industrial areas or to prevent the spread or recurrence of conditions of blight, insanitary or undevelopment;

(b) To clear any such areas by demolition or removal of existing buildings, structures, streets, utilities or other improvements thereon and to install, construct or reconstruct streets, utilities and site improvements essential to the preparation of sites for uses in accordance with a plan;

(c) To construct, reconstruct, remodel, repair, improve, install improvements, buildings, plants, additions, stores, shops, shopping centers, office buildings, hotels and motels and parking garages, multi-family housing facilities, warehouses, distribution centers, machines, fixtures, structures and other facilities related to industrial and commercial uses;

(d) To sell, lease or otherwise make available land in such areas for industrial and commercial or related use or to retain such land for public use, in accordance with a plan;
"Public body", the state or any municipality, county, township, board, commission, authority, district or any other subdivision of the state;

"Real property", all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens;

"Undeveloped industrial area", any area which, by reason of defective and inadequate street layout or location of physical improvements, obsolescence and inadequate subdivision and platting contains vacant parcels of land not used economically; contains old, decaying, obsolete buildings, plants, stores, shops, shopping centers, office buildings, hotels and motels and parking garages, warehouses, distribution centers, structures; contains buildings, plants, stores, shops, shopping centers, office buildings, hotels and motels and parking garages, multi-family housing facilities, warehouses, distribution centers and structures whose operation is not economically feasible; contains intermittent commercial and industrial structures in a primarily industrial or commercial area; or contains insufficient space for the expansion and efficient use of land for industrial plants and commercial uses amounting to conditions which retard economic or social growth, are economic waste and social liabilities and represent an inability to pay reasonable taxes to the detriment and injury of the public health, safety, morals and welfare.

135.950. The following terms, whenever used in sections 135.950 to 135.970 mean:
(1) "Average wage", the new payroll divided by the number of new jobs;

(2) "Blighted area", [an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use. The term "blighted area" shall also include any area which produces or generates or has the potential to produce or generate electrical energy from a renewable energy resource, and which, by reason of obsolescence, decadence, blight, dilapidation, deteriorating or inadequate site improvements, substandard conditions, the predominance or defective or inadequate street layout, unsanitary or unsafe conditions, improper subdivision or obsolete platting, or the existence of conditions which endanger the life or property by fire or other means, or any combination of such factors, is underutilized, unutilized, or diminishes the economic usefulness of the land, improvements, or lock and dam site within such area for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource] the same meaning as defined pursuant to section 99.805;

(3) "Board", an enhanced enterprise zone board established pursuant to section 135.957;

(4) "Commencement of commercial operations" shall be deemed to occur during the first taxable year for which the new business facility is first put into use by the taxpayer
in the enhanced business enterprise in which the taxpayer intends to use the new business facility;

(5) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually.

Notwithstanding the provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, such taxpayer shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(6) "Department", the department of economic development;

(7) "Director", the director of the department of economic development;

(8) "Employee", a person employed by the enhanced business enterprise that is scheduled to work an average of at least one thousand hours per year, and such person at all times has health insurance offered to him or her, which is partially paid for by the employer;

(9) "Enhanced business enterprise", an industry or one of a cluster of industries that is either:

(a) Identified by the department as critical to the state's economic security and growth; or
(b) Will have an impact on industry cluster development, as identified by the governing authority in its application for designation of an enhanced enterprise zone and approved by the department; but excluding gambling establishments (NAICS industry group 7132), retail trade (NAICS sectors 44 and 45), educational services (NAICS sector 61), religious organizations (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking places (NAICS subsector 722), however, notwithstanding provisions of this section to the contrary, headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investment of such headquarters operation is considered eligible for benefits under this section if the other requirements are satisfied. Service industries may be eligible only if a majority of its annual revenues will be derived from out of the state;

(10) "Existing business facility", any facility in this state which was employed by the taxpayer claiming the credit in the operation of an enhanced business enterprise immediately prior to an expansion, acquisition, addition, or replacement;

(11) "Facility", any building used as an enhanced business enterprise located within an enhanced enterprise zone, including the land on which the facility is located and all machinery, equipment, and other real and depreciable tangible personal property acquired for use at and located at or within such facility and used in connection with the operation of such facility;
(12) "Facility base employment", the greater of the number of employees located at the facility on the date of the notice of intent, or for the twelve-month period prior to the date of the notice of intent, the average number of employees located at the facility, or in the event the project facility has not been in operation for a full twelve-month period, the average number of employees for the number of months the facility has been in operation prior to the date of the notice of intent;

(13) "Facility base payroll", the total amount of taxable wages paid by the enhanced business enterprise to employees of the enhanced business enterprise located at the facility in the twelve months prior to the notice of intent, not including the payroll of owners of the enhanced business enterprise unless the enhanced business enterprise is participating in an employee stock ownership plan. For the purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on the consumer price index or other comparable measure, as determined by the department;

(14) "Governing authority", the body holding primary legislative authority over a county or incorporated municipality;

(15) "Megaproject", any manufacturing or assembling facility, approved by the department for construction and operation within an enhanced enterprise zone, which satisfies the following:

(a) The new capital investment is projected to exceed three hundred million dollars over a period of eight years from the date of approval by the department;
(b) The number of new jobs is projected to exceed one thousand over a period of eight years beginning on the date of approval by the department;

(c) The average wage of new jobs to be created shall exceed the county average wage;

(d) The taxpayer shall offer health insurance to all new jobs and pay at least eighty percent of such insurance premiums; and

(e) An acceptable plan of repayment, to the state, of the tax credits provided for the megaproject has been provided by the taxpayer;

(16) "NAICS", the 1997 edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget. Any NAICS sector, subsector, industry group or industry identified in this section shall include its corresponding classification in subsequent federal industry classification systems;

(17) "New business facility", a facility that does not produce or generate electrical energy from a renewable energy resource and satisfies the following requirements:

(a) Such facility is employed by the taxpayer in the operation of an enhanced business enterprise. Such facility shall not be considered a new business facility in the hands of the taxpayer if the taxpayer's only activity with respect to such facility is to lease it to another person or persons. If the taxpayer employs only a portion of such facility in the operation of an enhanced business enterprise, and leases another portion of such facility to another person or persons or does not otherwise use such other portions in the operation of an enhanced business enterprise, the portion employed by the taxpayer in the
operation of an enhanced business enterprise shall be considered a new business facility, if the requirements of paragraphs (b), (c), and (d) of this subdivision are satisfied;

(b) Such facility is acquired by, or leased to, the taxpayer after December 31, 2004. A facility shall be deemed to have been acquired by, or leased to, the taxpayer after December 31, 2004, if the transfer of title to the taxpayer, the transfer of possession pursuant to a binding contract to transfer title to the taxpayer, or the commencement of the term of the lease to the taxpayer occurs after December 31, 2004;

(c) If such facility was acquired by the taxpayer from another taxpayer and such facility was employed immediately prior to the acquisition by another taxpayer in the operation of an enhanced business enterprise, the operation of the same or a substantially similar enhanced business enterprise is not continued by the taxpayer at such facility; and

(d) Such facility is not a replacement business facility, as defined in subdivision (27) of this section;

(18) "New business facility employee", an employee of the taxpayer in the operation of a new business facility during the taxable year for which the credit allowed by section 135.967 is claimed, except that truck drivers and rail and barge vehicle operators and other operators of rolling stock for hire shall not constitute new business facility employees;

(19) "New business facility investment", the value of real and depreciable tangible personal property, acquired by the taxpayer as part of the new business facility, which is used by the taxpayer in the operation of the new business
facility, during the taxable year for which the credit
allowed by 135.967 is claimed, except that trucks, truck-
trailers, truck semitrailers, rail vehicles, barge vehicles,
aircraft and other rolling stock for hire, track, switches,
 barges, bridges, tunnels, and rail yards and spurs shall not
constitute new business facility investments. The total
value of such property during such taxable year shall be:

(a) Its original cost if owned by the taxpayer; or
(b) Eight times the net annual rental rate, if leased
by the taxpayer. The net annual rental rate shall be the
annual rental rate paid by the taxpayer less any annual
rental rate received by the taxpayer from subrentals. The
new business facility investment shall be determined by
dividing by twelve the sum of the total value of such
property on the last business day of each calendar month of
the taxable year. If the new business facility is in
operation for less than an entire taxable year, the new
business facility investment shall be determined by dividing
the sum of the total value of such property on the last
business day of each full calendar month during the portion
of such taxable year during which the new business facility
was in operation by the number of full calendar months
during such period;

(20) "New job", the number of employees located at the
facility that exceeds the facility base employment less any
decrease in the number of the employees at related
facilities below the related facility base employment. No
job that was created prior to the date of the notice of
intent shall be deemed a new job;

(21) "Notice of intent", a form developed by the
department which is completed by the enhanced business
enterprise and submitted to the department which states the
enhanced business enterprise's intent to hire new jobs and request benefits under such program;

(22) "Related facility", a facility operated by the enhanced business enterprise or a related company in this state that is directly related to the operation of the project facility;

(23) "Related facility base employment", the greater of:

(a) The number of employees located at all related facilities on the date of the notice of intent; or

(b) For the twelve-month period prior to the date of the notice of intent, the average number of employees located at all related facilities of the enhanced business enterprise or a related company located in this state;

(24) "Related taxpayer":

(a) A corporation, partnership, trust, or association controlled by the taxpayer;

(b) An individual, corporation, partnership, trust, or association in control of the taxpayer; or

(c) A corporation, partnership, trust or association controlled by an individual, corporation, partnership, trust or association in control of the taxpayer. "Control of a corporation" shall mean ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote, "control of a partnership or association" shall mean ownership of at least fifty percent of the capital or profits interest in such partnership or association, and "control of a trust" shall mean ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such trust; ownership
shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(25) "Renewable energy generation zone", an area which has been found, by a resolution or ordinance adopted by the governing authority having jurisdiction of such area, to be a blighted area and which contains land, improvements, or a lock and dam site which is unutilized or underutilized for the production, generation, conversion, and conveyance of electrical energy from a renewable energy resource;

(26) "Renewable energy resource", shall include:

(a) Wind;

(b) Solar thermal sources or photovoltaic cells and panels;

(c) Dedicated crops grown for energy production;

(d) Cellulosic agricultural residues;

(e) Plant residues;

(f) Methane from landfills, agricultural operations, or wastewater treatment;

(g) Thermal depolymerization or pyrolysis for converting waste material to energy;

(h) Clean and untreated wood such as pallets;

(i) Hydroelectric power, which shall include electrical energy produced or generated by hydroelectric power generating equipment, as such term is defined in section 137.010;

(j) Fuel cells using hydrogen produced by one or more of the renewable resources provided in paragraphs (a) to (i) of this subdivision; or

(k) Any other sources of energy, not including nuclear energy, that are certified as renewable by rule by the department of economic development;
(27) "Replacement business facility", a facility otherwise described in subdivision (17) of this section, hereafter referred to in this subdivision as "new facility", which replaces another facility, hereafter referred to in this subdivision as "old facility", located within the state, which the taxpayer or a related taxpayer previously operated but discontinued operating on or before the close of the first taxable year for which the credit allowed by this section is claimed. A new facility shall be deemed to replace an old facility if the following conditions are met:

(a) The old facility was operated by the taxpayer or a related taxpayer during the taxpayer's or related taxpayer's taxable period immediately preceding the taxable year in which commencement of commercial operations occurs at the new facility; and

(b) The old facility was employed by the taxpayer or a related taxpayer in the operation of an enhanced business enterprise and the taxpayer continues the operation of the same or substantially similar enhanced business enterprise at the new facility. Notwithstanding the preceding provisions of this subdivision, a facility shall not be considered a replacement business facility if the taxpayer's new business facility investment, as computed in subdivision (19) of this section, in the new facility during the tax period for which the credits allowed in section 135.967 are claimed exceed one million dollars and if the total number of employees at the new facility exceeds the total number of employees at the old facility by at least two;

(28) "Same or substantially similar enhanced business enterprise", an enhanced business enterprise in which the nature of the products produced or sold, or activities conducted, are similar in character and use or are produced,
sold, performed, or conducted in the same or similar manner
as in another enhanced business enterprise.

137.115. 1. All other laws to the contrary
notwithstanding, the assessor or the assessor's deputies in
all counties of this state including the City of St. Louis
shall annually make a list of all real and tangible personal
property taxable in the assessor's city, county, town or
district. Except as otherwise provided in subsection 3 of
this section and section 137.078, the assessor shall
annually assess all personal property at thirty-three and
one-third percent of its true value in money as of January
first of each calendar year. The assessor shall annually
assess all real property, including any new construction and
improvements to real property, and possessory interests in
real property at the percent of its true value in money set
in subsection 5 of this section. The true value in money of
any possessory interest in real property in subclass (3),
where such real property is on or lies within the ultimate
airport boundary as shown by a federal airport layout plan,
as defined by 14 CFR 151.5, of a commercial airport having a
FAR Part 139 certification and owned by a political
subdivision, shall be the otherwise applicable true value in
money of any such possessory interest in real property, less
the total dollar amount of costs paid by a party, other than
the political subdivision, towards any new construction or
improvements on such real property completed after January
1, 2008, and which are included in the above-mentioned
possessory interest, regardless of the year in which such
costs were incurred or whether such costs were considered in
any prior year. The assessor shall annually assess all real
property in the following manner: new assessed values shall
be determined as of January first of each odd-numbered year
and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be
subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.
2. Assessors in each county of this state and the City of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

   (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;
   (2) Livestock, twelve percent;
   (3) Farm machinery, twelve percent;
   (4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than [fifty] two hundred hours per year or aircraft that are home built from a kit, five percent;
   (5) Poultry, twelve percent; and
   (6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (7) of section 135.200, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to
as provided in section 137.155. The list shall then be delivered to the assessor.

5. (1) All subclasses of real property, as such subclasses are established in Section 4(b) of Article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:
   (a) For real property in subclass (1), nineteen percent;
   (b) For real property in subclass (2), twelve percent; and
   (c) For real property in subclass (3), thirty-two percent.

(2) A taxpayer may apply to the county assessor, or, if not located within a county, then the assessor of such city, for the reclassification of such taxpayer's real property if the use or purpose of such real property is changed after such property is assessed under the provisions of this chapter. If the assessor determines that such property shall be reclassified, he or she shall determine the assessment under this subsection based on the percentage of the tax year that such property was classified in each subclassification.

6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the
manufactured home removed from the tax books, and such
request shall be granted within thirty days after the
request is made; however, the removal from the tax books
does not remove the tax lien on the manufactured home if it
is later identified or found. For purposes of this section,
a manufactured home located in a manufactured home rental
park, rental community or on real estate not owned by the
manufactured home owner shall be considered personal
property. For purposes of this section, a manufactured home
located on real estate owned by the manufactured home owner
may be considered real property.

7. Each manufactured home assessed shall be considered
a parcel for the purpose of reimbursement pursuant to
section 137.750, unless the manufactured home is deemed to
be real estate as defined in subsection 7 of section 442.015
and assessed as a realty improvement to the existing real
estate parcel.

8. Any amount of tax due and owing based on the
assessment of a manufactured home shall be included on the
personal property tax statement of the manufactured home
owner unless the manufactured home is deemed to be real
estate as defined in subsection 7 of section 442.015, in
which case the amount of tax due and owing on the assessment
of the manufactured home as a realty improvement to the
existing real estate parcel shall be included on the real
property tax statement of the real estate owner.

9. The assessor of each county and each city not
within a county shall use the trade-in value published in
the October issue of the National Automobile Dealers'
Association Official Used Car Guide, or its successor
publication, as the recommended guide of information for
determining the true value of motor vehicles described in
such publication. The assessor shall not use a value that is greater than the average trade-in value in determining the true value of the motor vehicle without performing a physical inspection of the motor vehicle. For vehicles two years old or newer from a vehicle's model year, the assessor may use a value other than average without performing a physical inspection of the motor vehicle. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review
of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

14. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute for senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by house committee substitute for senate substitute
for senate committee substitute for senate bill no. 960,
ninety-second general assembly, second regular session, in a 
year of general reassessment. For the purposes of applying 
the provisions of this subsection, a political subdivision 
contained within two or more counties where at least one of 
such counties has opted out and at least one of such 
counties has not opted out shall calculate a single tax rate 
as in effect prior to the enactment of house bill no. 1150 
of the ninety-first general assembly, second regular 
session. A governing body of a city not within a county or 
a county that has opted out under the provisions of this 
subsection may choose to implement the provisions of this 
section and sections 137.073, 138.060, and 138.100 as 
enacted by house bill no. 1150 of the ninety-first general 
assembly, second regular session, and section 137.073 as 
modified by house committee substitute for senate substitute 
for senate committee substitute for senate bill no. 960, 
ninety-second general assembly, second regular session, for 
the next year of general reassessment, by an affirmative 
vote of the governing body prior to December thirty-first of 
any year.

15. The governing body of any city of the third 
classification with more than twenty-six thousand three 
hundred but fewer than twenty-six thousand seven hundred 
inhabitants located in any county that has exercised its 
authority to opt out under subsection 14 of this section may 
levy separate and differing tax rates for real and personal 
property only if such city bills and collects its own 
property taxes or satisfies the entire cost of the billing 
and collection of such separate and differing tax rates. 
Such separate and differing rates shall not exceed such 
city's tax rate ceiling.
16. Any portion of real property that is available as reserve for strip, surface, or coal mining for minerals for purposes of excavation for future use or sale to others that has not been bonded and permitted under chapter 444 shall be assessed based upon how the real property is currently being used. Any information provided to a county assessor, state tax commission, state agency, or political subdivision responsible for the administration of tax policies shall, in the performance of its duties, make available all books, records, and information requested, except such books, records, and information as are by law declared confidential in nature, including individually identifiable information regarding a specific taxpayer or taxpayer's mine property.

For purposes of this subsection, "mine property" shall mean all real property that is in use or readily available as a reserve for strip, surface, or coal mining for minerals for purposes of excavation for current or future use or sale to others that has been bonded and permitted under chapter 444.

143.011. 1. A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident. The tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

<table>
<thead>
<tr>
<th>If the Missouri taxable income is:</th>
<th>The tax is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not over $1,000.00</td>
<td>1 1/2% of the Missouri taxable income</td>
</tr>
<tr>
<td>Over $1,000 but not over $2,000</td>
<td>$15 plus 2% of excess over $1,000</td>
</tr>
<tr>
<td>Over $2,000 but not over $3,000</td>
<td>$35 plus 2 1/2% of excess over $2,000</td>
</tr>
</tbody>
</table>
2. (1) Beginning with the 2017 calendar year, the top rate of tax under subsection 1 of this section may be reduced over a period of years. Each reduction in the top rate of tax shall be by one-tenth of a percent and no more than one reduction shall occur in a calendar year. No more than [five] seven reductions shall be made under this subsection. Reductions in the rate of tax shall take effect on January first of a calendar year and such reduced rates shall continue in effect until the next reduction occurs.  

(2) A reduction in the rate of tax shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred fifty million dollars.

<table>
<thead>
<tr>
<th>Over $3,000 but not over</th>
<th>$60 plus 3% of excess over $3,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over $4,000 but not over</td>
<td>$90 plus 3 1/2% of excess over $4,000</td>
</tr>
<tr>
<td>Over $5,000 but not over</td>
<td>$125 plus 4% of excess over $5,000</td>
</tr>
<tr>
<td>Over $6,000 but not over</td>
<td>$165 plus 4 1/2% of excess over $6,000</td>
</tr>
<tr>
<td>Over $7,000 but not over</td>
<td>$210 plus 5% of excess over $7,000</td>
</tr>
<tr>
<td>Over $8,000 but not over</td>
<td>$260 plus 5 1/2% of excess over $8,000</td>
</tr>
<tr>
<td>Over $9,000</td>
<td>$315 plus 6% of excess over $9,000</td>
</tr>
</tbody>
</table>
(3) Any modification of tax rates under this subsection shall only apply to tax years that begin on or after a modification takes effect.

(4) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection. The bracket for income subject to the top rate of tax shall be eliminated once the top rate of tax has been reduced to five and one-half percent, and the top remaining rate of tax shall apply to all income in excess of the income in the second highest remaining income bracket.

(5) Notwithstanding the provisions of subdivision (1) of this subsection to the contrary, there shall be no reduction under this subsection in the 2024 calendar year. However, such reductions shall continue after the 2024 calendar year for subsequent calendar years.

3. (1) In addition to the rate reductions under subsection 2 of this section, beginning with the 2019 calendar year, the top rate of tax under subsection 1 of this section shall be reduced by four-tenths of one percent. Such reduction in the rate of tax shall take effect on January first of the 2019 calendar year.

(2) The modification of tax rates under this subsection shall only apply to tax years that begin on or after the date the modification takes effect.

(3) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.

4. (1) In addition to the rate reductions under subsections 2 and 3 of this section, beginning with the 2024 calendar year, the top rate of tax under subsection 1 of this section shall be reduced by one-tenth of one percent.
(2) The modification of tax rates under this subsection shall apply only to tax years that begin on or after the date the modification takes effect.

(3) The director of the department of revenue shall, by rule, adjust the tax tables under subsection 1 of this section to effectuate the provisions of this subsection.

5. Beginning with the 2017 calendar year, the brackets of Missouri taxable income identified in subsection 1 of this section shall be adjusted annually by the percent increase in inflation. The director shall publish such brackets annually beginning on or after October 1, 2016. Modifications to the brackets shall take effect on January first of each calendar year and shall apply to tax years beginning on or after the effective date of the new brackets.

[5.] 6. As used in this section, the following terms mean:

(1) "CPI", the Consumer Price Index for All Urban Consumers for the United States as reported by the Bureau of Labor Statistics, or its successor index;

(2) "CPI for the preceding calendar year", the average of the CPI as of the close of the twelve month period ending on August thirty-first of such calendar year;

(3) "Net general revenue collected", all revenue deposited into the general revenue fund, less refunds and revenues originally deposited into the general revenue fund but designated by law for a specific distribution or transfer to another state fund;

(4) "Percent increase in inflation", the percentage, if any, by which the CPI for the preceding calendar year exceeds the CPI for the year beginning September 1, 2014, and ending August 31, 2015.
143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer's federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer's federal adjusted gross income:

   (1) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit. The amount added pursuant to this subdivision shall not include any amount of a federal income tax refund attributable to a tax credit reducing a taxpayer's federal tax liability pursuant to Public Law 116-136 or 116-260, enacted by the 116th United States Congress, for the tax year beginning on or after January 1, 2020, and ending on or before December 31, 2020, and deducted from Missouri adjusted gross income pursuant to section 143.171. The amount added under this subdivision shall also not include any amount of a federal income tax refund attributable to a tax credit reducing a taxpayer's federal tax liability under any other federal law that provides direct economic impact payments to taxpayers to mitigate financial challenges related to the COVID-19 pandemic, and deducted from Missouri adjusted gross income under section 143.171;

   (2) Interest on certain governmental obligations excluded from federal gross income by 26 U.S.C. Section 103 of the Internal Revenue Code, as amended. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (1) of subsection 3 of this section. The amount added pursuant to this subdivision shall be reduced by the amounts applicable to such interest that would have been
33 deductible in computing the taxable income of the taxpayer except only for the application of 26 U.S.C. Section 265 of the Internal Revenue Code, as amended. The reduction shall only be made if it is at least five hundred dollars;

(3) The amount of any deduction that is included in the computation of federal taxable income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

(4) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by 26 U.S.C. Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by 26 U.S.C. Section 172(b)(1)(G) and 26 U.S.C. Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this subdivision after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(5) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any
property taxes paid to another state or a political
subdivision of another state for which a deduction was
allowed on such nonresident's federal return in the taxable
year unless such state, political subdivision of a state, or
the District of Columbia allows a subtraction from income
for property taxes paid to this state for purposes of
calculating income for the income tax for such state,
political subdivision of a state, or the District of
Columbia;

(6) For all tax years beginning on or after January 1, 2018, any interest expense paid or accrued in a previous
taxable year, but allowed as a deduction under 26 U.S.C.
Section 163, as amended, in the current taxable year by
reason of the carryforward of disallowed business interest
provisions of 26 U.S.C. Section 163(j), as amended. For the
purposes of this subdivision, an interest expense is
considered paid or accrued only in the first taxable year
the deduction would have been allowable under 26 U.S.C.
Section 163, as amended, if the limitation under 26 U.S.C.
Section 163(j), as amended, did not exist.

3. There shall be subtracted from the taxpayer's
federal adjusted gross income the following amounts to the
extent included in federal adjusted gross income:

(1) Interest received on deposits held at a federal
reserve bank or interest or dividends on obligations of the
United States and its territories and possessions or of any
authority, commission or instrumentality of the United
States to the extent exempt from Missouri income taxes
pursuant to the laws of the United States. The amount
subtracted pursuant to this subdivision shall be reduced by
any interest on indebtedness incurred to carry the described
obligations or securities and by any expenses incurred in
the production of interest or dividend income described in
this subdivision. The reduction in the previous sentence
shall only apply to the extent that such expenses including
amortizable bond premiums are deducted in determining the
taxpayer's federal adjusted gross income or included in the
taxpayer's Missouri itemized deduction. The reduction shall
only be made if the expenses total at least five hundred
dollars;

(2) The portion of any gain, from the sale or other
disposition of property having a higher adjusted basis to
the taxpayer for Missouri income tax purposes than for
federal income tax purposes on December 31, 1972, that does
not exceed such difference in basis. If a gain is
considered a long-term capital gain for federal income tax
purposes, the modification shall be limited to one-half of
such portion of the gain;

(3) The amount necessary to prevent the taxation
pursuant to this chapter of any annuity or other amount of
income or gain which was properly included in income or gain
and was taxed pursuant to the laws of Missouri for a taxable
year prior to January 1, 1973, to the taxpayer, or to a
decedent by reason of whose death the taxpayer acquired the
right to receive the income or gain, or to a trust or estate
from which the taxpayer received the income or gain;

(4) Accumulation distributions received by a taxpayer
as a beneficiary of a trust to the extent that the same are
included in federal adjusted gross income;

(5) The amount of any state income tax refund for a
prior year which was included in the federal adjusted gross
income;
(6) The portion of capital gain specified in section 135.357 that would otherwise be included in federal adjusted gross income;

(7) The amount that would have been deducted in the computation of federal taxable income pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to 26 U.S.C. Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(8) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States by Executive Order designates as an area in which Armed Forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone;

(9) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an additional modification was made under subdivision (3) of subsection 2 of this section, the amount by which additional modification made under subdivision (3) of
subsection 2 of this section on qualified property has not
been recovered through the additional subtractions provided
in subdivision (7) of this subsection;

(10) For all tax years beginning on or after January
1, 2014, the amount of any income received as payment from
any program which provides compensation to agricultural
producers who have suffered a loss as the result of a
disaster or emergency, including the:

(a) Livestock Forage Disaster Program;
(b) Livestock Indemnity Program;
(c) Emergency Assistance for Livestock, Honeybees, and
Farm-Raised Fish;
(d) Emergency Conservation Program;
(e) Noninsured Crop Disaster Assistance Program;
(f) Pasture, Rangeland, Forage Pilot Insurance Program;
(g) Annual Forage Pilot Program;
(h) Livestock Risk Protection Insurance Plan; and
(i) Livestock Gross Margin Insurance Plan; and

(11) For all tax years beginning on or after January
1, 2018, any interest expense paid or accrued in the current
taxable year, but not deducted as a result of the limitation
imposed under 26 U.S.C. Section 163(j), as amended. For the
purposes of this subdivision, an interest expense is
considered paid or accrued only in the first taxable year
the deduction would have been allowable under 26 U.S.C.
Section 163, as amended, if the limitation under 26 U.S.C.
Section 163(j), as amended, did not exist.

4. There shall be added to or subtracted from the
taxpayer's federal adjusted gross income the taxpayer's
share of the Missouri fiduciary adjustment provided in
section 143.351.
5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to 26 U.S.C. Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, "qualified health insurance premium" means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

   (2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The taxpayer shall provide the department of revenue with proof of the amount of qualified health insurance premiums paid.

8. (1) Beginning January 1, 2014, in addition to the subtractions provided in this section, one hundred percent of the cost incurred by a taxpayer for a home energy audit conducted by an entity certified by the department of natural resources under section 640.153 or the implementation of any energy efficiency recommendations made in such an audit shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid
for any such activity is included in federal taxable income. The taxpayer shall provide the department of revenue with a summary of any recommendations made in a qualified home energy audit, the name and certification number of the qualified home energy auditor who conducted the audit, and proof of the amount paid for any activities under this subsection for which a deduction is claimed. The taxpayer shall also provide a copy of the summary of any recommendations made in a qualified home energy audit to the department of natural resources.

(2) At no time shall a deduction claimed under this subsection by an individual taxpayer or taxpayers filing combined returns exceed one thousand dollars per year for individual taxpayers or cumulatively exceed two thousand dollars per year for taxpayers filing combined returns.

(3) Any deduction claimed under this subsection shall be claimed for the tax year in which the qualified home energy audit was conducted or in which the implementation of the energy efficiency recommendations occurred. If implementation of the energy efficiency recommendations occurred during more than one year, the deduction may be claimed in more than one year, subject to the limitations provided under subdivision (2) of this subsection.

(4) A deduction shall not be claimed for any otherwise eligible activity under this subsection if such activity qualified for and received any rebate or other incentive through a state-sponsored energy program or through an electric corporation, gas corporation, electric cooperative, or municipally owned utility.

9. The provisions of subsection 8 of this section shall expire on December 31, 2020.
143.171. 1. For all tax years beginning on or after January 1, 1994, and ending on or before December 31, 2018, an individual taxpayer shall be allowed a deduction for his or her federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34.

2. (1) Notwithstanding any other provision of law to the contrary, for all tax years beginning on or after January 1, 2019, an individual taxpayer shall be allowed a deduction equal to a percentage of his or her federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed, not to exceed five thousand dollars on a single taxpayer's return or ten thousand dollars on a combined return, after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34. The deduction percentage is determined according to the following table:

<table>
<thead>
<tr>
<th>If the Missouri gross income on the return is:</th>
<th>The deduction percentage is:</th>
</tr>
</thead>
<tbody>
<tr>
<td>$25,000 or less</td>
<td>35 percent</td>
</tr>
</tbody>
</table>
(2) Notwithstanding any provision of law to the contrary, the amount of any tax credits reducing a taxpayer's federal tax liability pursuant to Public Law 116-136 or 116-260, enacted by the 116th United States Congress, for the tax year beginning on or after January 1, 2020, and ending on or before December 31, 2020, and the amount of any tax credits reducing a taxpayer's federal tax liability under any other federal law that provides direct economic impact payments to taxpayers to mitigate financial challenges related to the COVID-19 pandemic shall not be considered in determining a taxpayer's federal tax liability for the purposes of subdivision (1) of this subsection.

3. For all tax years beginning on or after September 1, 1993, a corporate taxpayer shall be allowed a deduction for fifty percent of its federal income tax liability under Chapter 1 of the Internal Revenue Code for the same taxable year for which the Missouri return is being filed after reduction for all credits thereon, except the credit for payments of federal estimated tax, the credit for the overpayment of any federal tax, and the credits allowed by the Internal Revenue Code by 26 U.S.C. Section 31, 26 U.S.C. Section 27, and 26 U.S.C. Section 34.

4. If a federal income tax liability for a tax year prior to the applicability of sections 143.011 to 143.996

<table>
<thead>
<tr>
<th>Taxable Income Range</th>
<th>Deduction Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>From $25,001 to $50,000</td>
<td>25 percent</td>
</tr>
<tr>
<td>From $50,001 to $100,000</td>
<td>15 percent</td>
</tr>
<tr>
<td>From $100,001 to $125,000</td>
<td>5 percent</td>
</tr>
<tr>
<td>$125,001 or more</td>
<td>0 percent</td>
</tr>
</tbody>
</table>
for which he was not previously entitled to a Missouri
deduction is later paid or accrued, he may deduct the
federal tax in the later year to the extent it would have
been deductible if paid or accrued in the prior year.

143.177. 1. This section shall be known and may be
cited as the "Missouri Working Family Tax Credit Act".

2. For purposes of this section, the following terms
shall mean:

(1) "Department", the department of revenue;

(2) "Eligible taxpayer", a resident individual with a
filing status of single, head of household, widowed, or
married filing combined who is subject to the tax imposed
under chapter 143, excluding withholding tax imposed under
sections 143.191 to 143.265, and who is allowed a federal
earned income tax credit under 26 U.S.C. Section 32, as
amended;

(3) "Tax credit", a credit against the tax otherwise
due under chapter 143, excluding withholding tax imposed
under sections 143.191 to 143.265.

3. (1) Beginning with the 2023 calendar year, an
eligible taxpayer shall be allowed a tax credit in an amount
equal to a percentage of the amount such taxpayer would
receive under the federal earned income tax credit as such
credit existed under 26 U.S.C. Section 32 as of January 1,
2021, as provided pursuant to subdivision (2) of this
subsection. The tax credit allowed by this section shall be
claimed by such taxpayer at the time such taxpayer files a
return and shall be applied against the income tax liability
imposed by chapter 143 after reduction for all other credits
allowed thereon. If the amount of the credit exceeds the
tax liability, the difference shall not be refunded to the
taxpayer and shall not be carried forward to any subsequent tax year.

(2) Subject to the provisions of subdivision (3) of this subsection, the percentage of the federal earned income tax credit to be allowed as a tax credit pursuant to subdivision (1) of this subsection shall be ten percent, which may be increased to twenty percent subject to the provisions of subdivision (3) of this subsection. The maximum percentage that may be claimed as a tax credit pursuant to this section shall be twenty percent of the federal earned income tax credit that may be claimed by such taxpayer. Any increase in the percentage that may be claimed as a tax credit shall take effect on January first of a calendar year and such percentage shall continue in effect until the next percentage increase occurs. An increase shall only apply to tax years that begin on or after the increase takes effect.

(3) The initial percentage to be claimed as a tax credit and any increase in the percentage that may be claimed pursuant to subdivision (2) of this subsection shall only occur if the amount of net general revenue collected in the previous fiscal year exceeds the highest amount of net general revenue collected in any of the three fiscal years prior to such fiscal year by at least one hundred fifty million dollars.

4. Notwithstanding the provisions of section 32.057 to the contrary, the department shall determine whether any taxpayer filing a report or return with the department who did not apply for the credit authorized under this section may qualify for the credit and, if so, determines a taxpayer may qualify for the credit, shall notify such taxpayer of his or her potential eligibility. In making a determination
of eligibility under this section, the department shall use any appropriate and available data including, but not limited to, data available from the Internal Revenue Service, the U.S. Department of Treasury, and state income tax returns from previous tax years.

5. The department shall prepare an annual report containing statistical information regarding the tax credits issued under this section for the previous tax year, including the total amount of revenue expended, the number of credits claimed, and the average value of the credits issued to taxpayers whose earned income falls within various income ranges determined by the department.

6. The director of the department may promulgate rules and regulations to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after the effective date of this section shall be invalid and void.

7. Tax credits authorized under this section shall not be subject to the requirements of sections 135.800 to 135.830.

144.011. 1. For purposes of [sections 144.010 to 144.525 and 144.600 to 144.748] this chapter, and the taxes imposed thereby, the definition of "retail sale" or "sale at
retail" shall not be construed to include any of the following:

(1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;

(2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;

(3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;

(4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;

(5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;

(6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;

(7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;

(8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;
The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;

The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;

The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;

The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section 700.010, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Repossessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 this chapter was
not paid on the transfer of the manufactured home described
in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31,
1985, if the tax imposed by sections 144.010 to 144.525
this chapter was not paid on any transfer of the same
manufactured home which occurred before December 31, 1985; or

(13) Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic
fraternal societies, orders or associations operating under
the lodge system a substantial part of the activities of
which are devoted to religious, charitable, scientific,
literary, educational or fraternal purposes;

(b) Posts or organizations of past or present members
of the Armed Forces of the United States or an auxiliary
unit or society of, or a trust or foundation for, any such
post or organization substantially all of the members of
which are past or present members of the Armed Forces of the
United States or who are cadets, spouses, widows, or
widowers of past or present members of the Armed Forces of
the United States, no part of the net earnings of which
inures to the benefit of any private shareholder or
individual; or

(c) Nonprofit organizations exempt from taxation under
Section 501(c)(7) of the Internal Revenue Code of 1986, as
amended.

2. The assumption of liabilities of the transferor by
the transferee incident to any of the transactions
enumerated in the above subdivisions (1) to (8) of
subsection 1 of this section shall not disqualify the
transfer from the exclusion described in this section, where
such liability assumption is related to the property
transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax.

144.014. 1. Notwithstanding other provisions of law to the contrary, beginning October 1, 1997, the tax levied and imposed [pursuant to sections 144.010 to 144.525 and sections 144.600 to 144.746] under this chapter on all retail sales of food shall be at the rate of one percent. The revenue derived from the one percent rate pursuant to this section shall be deposited by the state treasurer in the school district trust fund and shall be distributed as provided in section 144.701.

2. For the purposes of this section, the term "food" shall include only those products and types of food for which food stamps may be redeemed pursuant to the provisions of the Federal Food Stamp Program as contained in 7 U.S.C. Section 2012, as that section now reads or as it may be amended hereafter, and shall include food dispensed by or through vending machines. For the purpose of this section, except for vending machine sales, the term "food" shall not include food or drink sold by any establishment where the gross receipts derived from the sale of food prepared by such establishment for immediate consumption on or off the premises of the establishment constitutes more than eighty percent of the total gross receipts of that establishment, regardless of whether such prepared food is consumed on the premises of that establishment, including, but not limited to, sales of food by any restaurant, fast food restaurant, delicatessen, eating house, or café.

144.020. 1. A tax is hereby levied and imposed for the privilege of titling new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are
required to be titled under the laws of the state of Missouri and, except as provided in subdivision (9) of this subsection, upon all sellers for the privilege of engaging in the business of selling tangible personal property or rendering taxable service at retail in this state. The rate of tax shall be as follows:

(1) Upon every retail sale in this state of tangible personal property, excluding motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats and outboard motors required to be titled under the laws of the state of Missouri and subject to tax under subdivision (9) of this subsection, a tax equivalent to four percent of the purchase price paid or charged, or in case such sale involves the exchange of property, a tax equivalent to four percent of the consideration paid or charged, including the fair market value of the property exchanged at the time and place of the exchange, except as otherwise provided in section 144.025;

(2) A tax equivalent to four percent of the amount paid for admission and seating accommodations, or fees paid to, or in any place of amusement, entertainment or recreation, games and athletic events, except amounts paid for any instructional class;

(3) A tax equivalent to four percent of the basic rate paid or charged on all sales of electricity or electrical current, water and gas, natural or artificial, to domestic, commercial or industrial consumers;

(4) (a) A tax equivalent to four percent on the basic rate paid or charged on all sales of local and long distance telecommunications service to telecommunications subscribers and to others through equipment of telecommunications subscribers for the transmission of messages and conversations and upon the sale, rental or leasing of all
equipment or services pertaining or incidental thereto;
except that, the payment made by telecommunications
subscribers or others, pursuant to section 144.060, and any
amounts paid for access to the internet or interactive
computer services shall not be considered as amounts paid
for telecommunications services;
(b) If local and long distance telecommunications
services subject to tax under this subdivision are
aggregated with and not separately stated from charges for
telecommunications service or other services not subject to
tax under this subdivision, including, but not limited to,
interstate or international telecommunications services,
then the charges for nontaxable services may be subject to
taxation unless the telecommunications provider can identify
by reasonable and verifiable standards such portion of the
charges not subject to such tax from its books and records
that are kept in the regular course of business, including,
but not limited to, financial statement, general ledgers,
invoice and billing systems and reports, and reports for
regulatory tariffs and other regulatory matters;
(c) A telecommunications provider shall notify the
director of revenue of its intention to utilize the
standards described in paragraph (b) of this subdivision to
determine the charges that are subject to sales tax under
this subdivision. Such notification shall be in writing and
shall meet standardized criteria established by the
department regarding the form and format of such notice;
(d) The director of revenue may promulgate and enforce
reasonable rules and regulations for the administration and
enforcement of the provisions of this subdivision. Any rule
or portion of a rule, as that term is defined in section
536.010, that is created under the authority delegated in
this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2019, shall be invalid and void;

(5) A tax equivalent to four percent of the basic rate paid or charged for all sales of services for transmission of messages of telegraph companies;

(6) A tax equivalent to four percent on the amount of sales or charges for all rooms, meals and drinks furnished at any hotel, motel, tavern, inn, restaurant, eating house, drugstore, dining car, tourist cabin, tourist camp or other place in which rooms, meals or drinks are regularly served to the public. The tax imposed under this subdivision shall not apply to any automatic mandatory gratuity for a large group imposed by a restaurant when such gratuity is reported as employee tip income and the restaurant withholds income tax under section 143.191 on such gratuity;

(7) A tax equivalent to four percent of the amount paid or charged for intrastate tickets by every person operating a railroad, sleeping car, dining car, express car, boat, airplane and such buses and trucks as are licensed by the division of motor carrier and railroad safety of the department of economic development of Missouri, engaged in the transportation of persons for hire;

(8) A tax equivalent to four percent of the amount paid or charged for rental or lease of tangible personal property, provided that if the lessor or renter of any
tangible personal property had previously purchased the property under the conditions of sale at retail or leased or rented the property and the tax was paid at the time of purchase, lease or rental, the lessor, sublessor, renter or subrenter shall not apply or collect the tax on the subsequent lease, sublease, rental or subrental receipts from that property. The purchase, rental or lease of motor vehicles, trailers, motorcycles, mopeds, motortricycles, boats, and outboard motors shall be taxed and the tax paid as provided in this section and section 144.070. In no event shall the rental or lease of boats and outboard motors be considered a sale, charge, or fee to, for or in places of amusement, entertainment or recreation nor shall any such rental or lease be subject to any tax imposed to, for, or in such places of amusement, entertainment or recreation. Rental and leased boats or outboard motors shall be taxed under the provisions of the sales tax laws as provided under such laws for motor vehicles and trailers. Tangible personal property which is exempt from the sales or use tax under section 144.030 upon a sale thereof is likewise exempt from the sales or use tax upon the lease or rental thereof;

(9) A tax equivalent to four percent of the purchase price, as defined in section 144.070, of new and used motor vehicles, trailers, boats, and outboard motors purchased or acquired for use on the highways or waters of this state which are required to be registered under the laws of the state of Missouri. This tax is imposed on the person titling such property, and shall be paid according to the procedures in section 144.440.

2. All tickets sold which are sold under the provisions of [sections 144.010 to 144.525] this chapter which are subject to the sales tax shall have printed,
stamped or otherwise endorsed thereon, the words "This ticket is subject to a sales tax."

144.049. 1. For purposes of this section, the following terms mean:

(1) "Clothing", any article of wearing apparel intended to be worn on or about the human body including, but not limited to, disposable diapers for infants or adults and footwear. The term shall include, but not be limited to, cloth and other material used to make school uniforms or other school clothing. Items normally sold in pairs shall not be separated to qualify for the exemption. The term shall not include watches, watchbands, jewelry, handbags, handkerchiefs, umbrellas, scarves, ties, headbands, or belt buckles; and

(2) "Personal computers", a laptop, desktop, or tower computer system which consists of a central processing unit, random access memory, a storage drive, a display monitor, and a keyboard and devices designed for use in conjunction with a personal computer, such as a disk drive, memory module, compact disk drive, daughterboard, digitizer, microphone, modem, motherboard, mouse, multimedia speaker, printer, scanner, single-user hardware, single-user operating system, soundcard, or video card;

(3) "School supplies", any item normally used by students in a standard classroom for educational purposes, including but not limited to textbooks, notebooks, paper, writing instruments, crayons, art supplies, rulers, book bags, backpacks, handheld calculators, chalk, maps, and globes. The term shall not include watches, radios, CD players, headphones, sporting equipment, portable or desktop telephones, copiers or other office equipment, furniture, or fixtures. School supplies shall also include computer
software having a taxable value of three hundred fifty dollars or less and any graphing calculator having a taxable value of one hundred fifty dollars or less.

2. In each year beginning on or after January 1, 2005, there is hereby specifically exempted from state and local sales tax law all retail sales of any article of clothing having a taxable value of one hundred dollars or less, all retail sales of school supplies not to exceed fifty dollars per purchase, all computer software with a taxable value of three hundred fifty dollars or less, all graphing calculators having a taxable value of one hundred fifty dollars or less, and all retail sales of personal computers or computer peripheral devices not to exceed one thousand five hundred dollars, during a three-day period beginning at 12:01 a.m. on the first Friday in August and ending at midnight on the Sunday following. If a purchaser and seller are located in two different time zones, the time zone of the purchaser's location shall determine the authorized exemption period.

3. If the governing body of any political subdivision adopted an ordinance that applied to the 2004 sales tax holiday to prohibit the provisions of this section from allowing the sales tax holiday to apply to such political subdivision's local sales tax, then, notwithstanding any provision of a local ordinance to the contrary, the 2005 sales tax holiday shall not apply to such political subdivision's local sales tax. However, any such political subdivision may enact an ordinance to allow the 2005 sales tax holiday to apply to its local sales taxes. A political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any
ordinance or order rescinding an ordinance or order to opt out.

4. This section shall not apply to any sales which take place within the Missouri state fairgrounds.

5. This section applies to sales of items bought for personal use only.

6. After the 2005 sales tax holiday, any political subdivision may, by adopting an ordinance or order, choose to prohibit future annual sales tax holidays from applying to its local sales tax. After opting out, the political subdivision may rescind the ordinance or order. The political subdivision must notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any ordinance or order rescinding an ordinance or order to opt out.

7. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer may offer a sales tax refund in lieu of the sales tax holiday.

6. A sale of property that is eligible for an exemption under subsection 1 of this section but is purchased under a layaway sale shall only qualify for an exemption if:

(1) Final payment on a layaway order is made by, and the property is given to, the purchaser during the exemption period; or

(2) The purchaser selects the property and the seller accepts the order for the property during the exemption period, for immediate delivery upon full payment, even if delivery is made after the exemption period.
7. The exemption of a bundled transaction shall be calculated as provided by law for all other bundled transactions.

8. (1) For any discount offered by a seller that is a reduction of the sales price of the product, the discounted sales price shall determine whether the sales price falls below the price threshold provided in subsection 1 of this section. A coupon that reduces the sales price shall be treated as a discount only if the seller is not reimbursed for the coupon amount by a third party.

(2) If a discount applies to the total amount paid by a purchaser rather than to the sales price of a particular product and the purchaser has purchased both exempt property and taxable property, the seller shall allocate the discount based on the total sales prices of the taxable property compared to the total sales prices of all property sold in the same transaction.

9. Items that are normally sold as a single unit shall continue to be sold in that manner and shall not be priced separately and sold as individual items.

10. Items that are purchased during an exemption period but that are not delivered to the purchaser until after the exemption period due to the item not being in stock shall qualify for an exemption. The provisions of this subsection shall not apply to an item that was delivered during an exemption period but was purchased prior to or after the exemption period.

11. (1) If a purchaser purchases an item of eligible property during an exemption period but later exchanges the item for a similar eligible item after the exemption period, no additional tax shall be due on the new item.
(2) If a purchaser purchases an item of eligible property during an exemption period but later returns the item after the exemption period and receives credit on the purchase of a different nonexempt item, the appropriate sales tax shall be due on the sale of the newly purchased item.

(3) If a purchaser purchases an item of eligible property before an exemption period but during the exemption period returns the item and receives credit on the purchase of a different item of eligible property, no sales tax shall be due on the sale of the new item if the new item is purchased during the exemption period.

(4) For a sixty-day period immediately following the end of the exemption period, if a purchaser returns an exempt item, no credit for or refund of sales tax shall be given unless the purchaser provides a receipt or invoice that shows tax was paid or the seller has sufficient documentation to show that tax was paid on the item being returned.

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

(1) "Processing", any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) "Producing" includes, but is not limited to, the production of, including the production and transmission of, telecommunication services;

(3) "Product" includes, but is not limited to, telecommunications services;
"Recovered materials", those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761] this chapter and the local sales tax law as defined in section 32.085 and from the computation of the tax levied, assessed, or payable under this chapter and the local sales tax law as defined in section 32.085, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any product. [The exemptions granted in this subsection shall not apply to local sales taxes as defined in section 32.085 and the provisions of this subsection shall be in addition to any state and local sales tax exemption provided in section 144.030.] The construction and application of this subsection as expressed by the Missouri supreme court in DST Systems, Inc. v. Director of Revenue, 43 S.W.3d 799 (Mo. banc 2001); Southwestern Bell Tel. Co. v. Director of Revenue, 78 S.W.3d 763 (Mo. banc 2002); and Southwestern Bell Tel. Co. v. Director of Revenue, 182 S.W.3d 226 (Mo. banc 2005), is hereby affirmed.
3. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] this chapter and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] this chapter and the local sales tax law as defined in section 32.085, all utilities, machinery, and equipment used or consumed directly in television or radio broadcasting and all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a contractor for use in fulfillment of any obligation under a defense contract with the United States government, and all sales and leases of tangible personal property by any county, city, incorporated town, or village, provided such sale or lease is authorized under chapter 100, and such transaction is certified for sales tax exemption by the department of economic development, and tangible personal property used for railroad infrastructure brought into this state for processing, fabrication, or other modification for use outside the state in the regular course of business.

4. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] this chapter and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under [sections 144.010 to 144.525 and 144.600 to 144.761, and
section 238.235,] this chapter and the local sales tax law as defined in section 32.085, all sales and purchases of tangible personal property, utilities, services, or any other transaction that would otherwise be subject to the state or local sales or use tax when such sales are made to or purchases are made by a private partner for use in completing a project under sections 227.600 to 227.669.

5. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] this chapter and the local sales tax law as defined in section 32.085, and from the computation of the tax levied, assessed, or payable under [sections 144.010 to 144.525 and 144.600 to 144.761, and section 238.235,] this chapter and the local sales tax law as defined in section 32.085, all materials, manufactured goods, machinery and parts, electrical energy and gas, whether natural, artificial or propane, water, coal and other energy sources, chemicals, soaps, detergents, cleaning and sanitizing agents, and other ingredients and materials inserted by commercial or industrial laundries to treat, clean, and sanitize textiles in facilities which process at least five hundred pounds of textiles per hour and at least sixty thousand pounds per week.

144.080. 1. Every person receiving any payment or consideration upon the sale of property or rendering of service, subject to the tax imposed by the provisions of sections 144.010 to 144.525, is exercising the taxable privilege of selling the property or rendering the service at retail and is subject to the tax levied in section 144.020. The person shall be responsible not only for the collection of the amount of the tax imposed on the sale or
service to the extent possible under the provisions of section 144.285, but shall[, on or before the last day of the month following each calendar quarterly period of three months,] file a return with the director of revenue showing the person's gross receipts and the amount of tax levied in section 144.020 for the preceding [quarter] filing period, and shall remit to the director of revenue, with the return, the taxes levied in section 144.020[, except] as provided in subsections 2 [and 3] to 4 of this section. The director of revenue may promulgate rules or regulations changing the filing and payment requirements of sellers, but shall not require any seller to file and pay more frequently than required in this section.

2. Where the aggregate amount levied and imposed upon a seller by section 144.020 is in excess of [two] five hundred [fifty] dollars [for either the first or second month of a calendar quarter] per calendar month during the previous calendar year, the seller shall file a return and pay such aggregate amount [for such months to the director of revenue by] on a monthly basis. The return shall be filed and the taxes paid on or before the twentieth day of the succeeding month.

3. Where the aggregate amount levied and imposed upon a seller by section 144.020 is five hundred dollars or less per calendar month, but is at least two hundred dollars in a calendar quarter during the previous calendar year, the seller shall file a return and pay such aggregate amount on a quarterly basis. The return shall be filed and the taxes paid on or before the last day of the month following each calendar quarterly period.

4. Where the aggregate amount levied and imposed upon a seller by section 144.020 is less than [forty-five] two
hundred dollars [in all] per calendar quarter during the previous calendar year, the [director of revenue shall by regulation permit the] seller [to] shall file a return [for a calendar year] and pay such aggregate amount on an annual basis. The return shall be filed and the taxes paid on or before January thirty-first of the succeeding year.

4.[4.] 5. The seller of any property or person rendering any service, subject to the tax imposed by sections 144.010 to 144.525, shall collect the tax from the purchaser of such property or the recipient of the service to the extent possible under the provisions of section 144.285, but the seller's inability to collect any part or all of the tax does not relieve the seller of the obligation to pay to the state the tax imposed by section 144.020; except that the collection of the tax imposed by sections 144.010 to 144.525 on motor vehicles and trailers shall be made as provided in sections 144.070 and 144.440.

5. 6. Any person may advertise or hold out or state to the public or to any customer directly that the tax or any part thereof imposed by sections 144.010 to 144.525, and required to be collected by the person, will be assumed or absorbed by the person, provided that the amount of tax assumed or absorbed shall be stated on any invoice or receipt for the property sold or service rendered. Any person violating any of the provisions of this section shall be guilty of a misdemeanor. This subsection shall not apply to any retailer prohibited from collecting and remitting sales tax under section 66.630.

144.140. 1. From every remittance to the director of revenue made on or before the date when the same becomes due, the person required to remit the same shall be entitled to deduct and retain an amount equal to two percent thereof.
2. The director shall provide a monetary allowance from the taxes collected to a certified service provider under the terms of the certified service contract signed with the provider, provided that such allowance shall be funded entirely from moneys collected by the certified service provider.

3. Any certified service provider receiving an allowance under subsection 2 of this section shall not be entitled to simultaneously deduct the allowance provided for under subsection 1 of this section.

4. For the purposes of this section, "certified service provider" shall mean an agent certified by the department of revenue to perform all the seller's sales and use tax functions, other than the seller's obligation to remit tax on its own purchases.

5. The provisions of this section relating to the allowance for timely remittance of sales tax payment shall also be applicable to the timely remittance of use tax payment under sections 144.600 to 144.746.

144.526. 1. This section shall be known and may be cited as the "Show Me Green Sales Tax Holiday".

2. For purposes of this section, the following terms mean:

(1) "Appliance", clothes washers and dryers, water heaters, trash compactors, dishwashers, conventional ovens, ranges, stoves, air conditioners, furnaces, refrigerators and freezers; and

(2) "Energy star certified", any appliance approved by both the United States Environmental Protection Agency and the United States Department of Energy as eligible to display the energy star label, as amended from time to time.
3. In each year beginning on or after January 1, 2009, there is hereby specifically exempted from state sales tax law and all local sales and use taxes all retail sales of any energy star certified new appliance, up to one thousand five hundred dollars per appliance[,], during a seven-day period beginning at 12:01 a.m. on April nineteenth and ending at midnight on April twenty-fifth. Where a purchaser and seller are located in two different time zones, the time zone of the purchaser's location shall determine the authorized exemption period.

4. [A political subdivision may allow the sales tax holiday under this section to apply to its local sales taxes by enacting an ordinance to that effect. Any such political subdivision shall notify the department of revenue not less than forty-five calendar days prior to the beginning date of the sales tax holiday occurring in that year of any such ordinance or order.

5. This section may not apply to any retailer when less than two percent of the retailer's merchandise offered for sale qualifies for the sales tax holiday. The retailer shall offer a sales tax refund in lieu of the sales tax holiday.| A sale of property that is eligible for an exemption under subsection 3 of this section but is purchased under a layaway sale shall only qualify for an exemption if:

(1) Final payment on a layaway order is made by, and the property is given to, the purchaser during the exemption period; or

(2) The purchaser selects the property and the seller accepts the order for the property during the exemption period, for immediate delivery upon full payment, even if delivery is made after the exemption period.
5. (1) For any discount offered by a seller that is a reduction of the sales price of the product, the discounted sales price shall determine whether the sales price falls below the price threshold provided in subsection 3 of this section. A coupon that reduces the sales price shall be treated as a discount only if the seller is not reimbursed for the coupon amount by a third party.

(2) If a discount applies to the total amount paid by a purchaser rather than to the sales price of a particular product and the purchaser has purchased both exempt property and taxable property, the seller shall allocate the discount based on the total sales prices of the taxable property compared to the total sales prices of all property sold in the same transaction.

6. Items that are normally sold as a single unit shall continue to be sold in that manner and shall not be priced separately and sold as individual items.

7. Items that are purchased during an exemption period but that are not delivered to the purchaser until after the exemption period due to the item not being in stock shall qualify for an exemption. The provisions of this subsection shall not apply to an item that was delivered during an exemption period but was purchased prior to or after the exemption period.

8. (1) If a purchaser purchases an item of eligible property during an exemption period but later exchanges the item for a similar eligible item after the exemption period, no additional tax shall be due on the new item.

(2) If a purchaser purchases an item of eligible property during an exemption period but later returns the item after the exemption period and receives credit on the purchase of a different nonexempt item, the appropriate
sales tax shall be due on the sale of the newly purchased item.

(3) If a purchaser purchases an item of eligible property before an exemption period but during the exemption period returns the item and receives credit on the purchase of a different item of eligible property, no sales tax shall be due on the sale of the new item if the new item is purchased during the exemption period.

(4) For a sixty-day period immediately following the end of the exemption period, if a purchaser returns an exempt item, no credit for or refund of sales tax shall be given unless the purchaser provides a receipt or invoice that shows tax was paid or the seller has sufficient documentation to show that tax was paid on the item being returned.

144.605. The following words and phrases as used in sections 144.600 to 144.745 mean and include:

(1) "Calendar quarter", the period of three consecutive calendar months ending on March thirty-first, June thirtieth, September thirtieth or December thirty-first;

(2) "Engages in business activities within this state" includes:

(a) Maintaining or having a franchisee or licensee operating under the seller's trade name in this state if the franchisee or licensee is required to collect sales tax pursuant to sections 144.010 to 144.525;

(b) Soliciting sales or taking orders by sales agents or traveling representatives;

(c) A vendor is presumed to engage in business activities within this state if any person, other than a common carrier acting in its capacity as such, that has substantial nexus with this state:
a. Sells a similar line of products as the vendor and does so under the same or a similar business name;

b. Maintains an office, distribution facility, warehouse, or storage place, or similar place of business in the state to facilitate the delivery of property or services sold by the vendor to the vendor's customers;

c. Delivers, installs, assembles, or performs maintenance services for the vendor's customers within the state;

d. Facilitates the vendor's delivery of property to customers in the state by allowing the vendor's customers to pick up property sold by the vendor at an office, distribution facility, warehouse, storage place, or similar place of business maintained by the person in the state; or

e. Conducts any other activities in the state that are significantly associated with the vendor's ability to establish and maintain a market in the state for the sales;

(d) The presumption in paragraph (c) of this subdivision may be rebutted by demonstrating that the person's activities in the state are not significantly associated with the vendor's ability to establish or maintain a market in this state for the vendor's sales;

(e) [Notwithstanding paragraph (c), a vendor shall be presumed to engage in business activities within this state if the vendor enters into an agreement with one or more residents of this state under which the resident, for a commission or other consideration, directly or indirectly refers potential customers, whether by a link on an internet website, an in-person oral presentation, telemarketing, or otherwise, to the vendor, if the cumulative gross receipts from sales by the vendor to customers in the state who are referred to the vendor by all residents with this type of an]
agreement with the vendor is in excess of ten thousand dollars during the preceding twelve months;

(f) The presumption in paragraph (e) may be rebutted by submitting proof that the residents with whom the vendor has an agreement did not engage in any activity within the state that was significantly associated with the vendor's ability to establish or maintain the vendor's market in the state during the preceding twelve months. Such proof may consist of sworn written statements from all of the residents with whom the vendor has an agreement stating that they did not engage in any solicitation in the state on behalf of the vendor during the preceding year provided that such statements were provided and obtained in good faith;]

Selling tangible personal property for delivery into this state, provided the seller's gross receipts from taxable sales from delivery of tangible personal property into this state in the previous calendar year or current calendar year exceeds one hundred thousand dollars. For the purposes of calculating a seller's gross receipts under this paragraph, following the close of each calendar quarter, a vendor shall determine whether the vendor met the requirements under this paragraph during the twelve-month period ending on the last day of the preceding calendar quarter. If the vendor met such requirements for any such twelve-month period, such vendor shall collect and remit the tax as provided under section 144.635 for a period of not less than twelve months, beginning not more than three months following the close of the preceding calendar quarter, and shall continue to collect and remit the tax for as long as the vendor is engaged in business activities within this state, as provided for under this paragraph, or otherwise maintains a substantial nexus with this state;
(3) "Maintains a place of business in this state" includes maintaining, occupying, or using, permanently or temporarily, directly or indirectly, by whatever name called, an office, place of distribution, sales or sample room or place, warehouse or storage place, or other place of business in this state, whether owned or operated by the vendor or by any other person other than a common carrier acting in its capacity as such;

(4) "Person", any individual, firm, copartnership, joint venture, association, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or agency, except the state transportation department, estate, trust, business trust, receiver or trustee appointed by the state or federal court, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular number;

(5) "Purchase", the acquisition of the ownership of, or title to, tangible personal property, through a sale, as defined herein, for the purpose of storage, use or consumption in this state;

(6) "Purchaser", any person who is the recipient for a valuable consideration of any sale of tangible personal property acquired for use, storage or consumption in this state;

(7) "Sale", any transfer, barter or exchange of the title or ownership of tangible personal property, or the right to use, store or consume the same, for a consideration paid or to be paid, and any transaction whether called leases, rentals, bailments, loans, conditional sales or otherwise, and notwithstanding that the title or possession of the property or both is retained for security. For the
purpose of this law the place of delivery of the property to
the purchaser, user, storer or consumer is deemed to be the
place of sale, whether the delivery be by the vendor or by
common carriers, private contractors, mails, express,
agents, salesmen, solicitors, hawkers, representatives,
consignors, peddlers, canvassers or otherwise;

(8) "Sales price", the consideration including the
charges for services, except charges incident to the
extension of credit, paid or given, or contracted to be paid
or given, by the purchaser to the vendor for the tangible
personal property, including any services that are a part of
the sale, valued in money, whether paid in money or
otherwise, and any amount for which credit is given to the
purchaser by the vendor, without any deduction therefrom on
account of the cost of the property sold, the cost of
materials used, labor or service cost, losses or any other
expenses whatsoever, except that cash discounts allowed and
taken on sales shall not be included and "sales price" shall
not include the amount charged for property returned by
customers upon rescission of the contract of sales when the
entire amount charged therefor is refunded either in cash or
credit or the amount charged for labor or services rendered
in installing or applying the property sold, the use,
storage or consumption of which is taxable pursuant to
sections 144.600 to 144.745. The sales price shall not
include usual and customary delivery charges that are
separately stated. In determining the amount of tax due
pursuant to sections 144.600 to 144.745, any charge incident
to the extension of credit shall be specifically exempted;

(9) "Selling agent", every person acting as a
representative of a principal, when such principal is not
registered with the director of revenue of the state of
Missouri for the collection of the taxes imposed pursuant to
sections 144.010 to 144.525 or sections 144.600 to 144.745
and who receives compensation by reason of the sale of
tangible personal property of the principal, if such
property is to be stored, used, or consumed in this state;
(10) "Storage", any keeping or retention in this state
of tangible personal property purchased from a vendor,
except property for sale or property that is temporarily
kept or retained in this state for subsequent use outside
the state;
(11) "Tangible personal property", all items subject
to the Missouri sales tax as provided in subdivisions (1)
and (3) of subsection 1 of section 144.020;
(12) "Taxpayer", any person remitting the tax or who
should remit the tax levied by sections 144.600 to 144.745;
(13) "Use", the exercise of any right or power over
tangible personal property incident to the ownership or
control of that property, except that it does not include
the temporary storage of property in this state for
subsequent use outside the state, or the sale of the
property in the regular course of business;
(14) "Vendor", every person engaged in making sales of
tangible personal property by mail order, by advertising, by
agent or peddling tangible personal property, soliciting or
taking orders for sales of tangible personal property, for
storage, use or consumption in this state, all salesmen,
solicitors, hawkers, representatives, consignees, peddlers
or canvassers, as agents of the dealers, distributors,
consignors, supervisors, principals or employers under whom
they operate or from whom they obtain the tangible personal
property sold by them, and every person who maintains a
place of business in this state, maintains a stock of goods
in this state, or engages in business activities within this state and every person who engages in this state in the business of acting as a selling agent for persons not otherwise vendors as defined in this subdivision. Irrespective of whether they are making sales on their own behalf or on behalf of the dealers, distributors, consignors, supervisors, principals or employers, they must be regarded as vendors and the dealers, distributors, consignors, supervisors, principals or employers must be regarded as vendors for the purposes of sections 144.600 to 144.745.

144.608. 1. For the purpose of more efficiently securing the payment of and accounting for the tax collected and remitted by retailers and vendors, the department is hereby authorized:
   (1) To consult, contract, and work jointly with the streamlined sales and use tax agreement's governing board to allow sellers to use the governing board's certified service providers and central registration system services; or
   (2) To consult, contract, and work with certified service providers independently. The department is authorized to determine the method and amount of compensation to be provided to certified service providers by this state for the services of such certified service providers to certain sellers, provided that no certified service provider or seller utilizing a certified service provider shall be entitled to the deduction provided in subsection 1 of section 144.140.

2. The department is also hereby authorized to independently take such actions as may be reasonably necessary to secure the payment of and account for the tax collected and remitted by retailers and vendors. The
department shall independently carry out any or all
activities relating to the collection of online use tax if
the department, in its own judgment, determines that
independently carrying out such activities would promote
cost-saving to the state.

3. The director of revenue shall make, promulgate, and
enforce reasonable rules and regulations for the
administration and enforcement of the provisions of this
chapter relating to the collection and remittance of sales
and use tax by certified service providers. Any rule or
portion of a rule, as that term is defined in section
536.010, that is created under the authority delegated in
this section shall become effective only if it complies with
and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
536 are nonseverable and if any of the powers vested with
the general assembly pursuant to chapter 536 to review, to
delay the effective date, or to disapprove and annul a rule
are subsequently held unconstitutional, then the grant of
rulemaking authority and any rule proposed or adopted after
January 1, 2023, shall be invalid and void.

4. The provisions of this section shall automatically
sunset five years after the effective date of this section
unless reauthorized by an act of the general assembly.

144.637. 1. The director of revenue shall provide and
maintain a database that describes boundary changes for all
taxing jurisdictions and the effective dates of such changes
for the use of vendors collecting the tax imposed under
sections 144.600 to 144.746.

2. For the identification of counties and cities,
codes corresponding to the rates shall be provided according
to Federal Information Processing Standards (FIPS) as
developed by the National Institute of Standards and Technology. For the identification of all other jurisdictions, codes corresponding to the rates shall be in a format determined by the director.

3. The director shall provide and maintain address-based boundary database records for assigning taxing jurisdictions and associated rates. The database records shall be in the same approved format as the database described under subsection 1 of this section and shall meet the requirements developed under the federal Mobile Telecommunications Sourcing Act, 4 U.S.C. Section 119(a).

If a vendor is unable to determine the applicable rate and jurisdiction using an address-based database record after exercising due diligence, the vendor may apply the nine-digit zip code designation applicable to a purchase. If a nine-digit zip code designation is not available for a street address or if a vendor is unable to determine the nine-digit zip code designation applicable to a purchase after exercising due diligence to determine the designation, the vendor may apply the rate for the five-digit zip code area. The lowest combined tax rate imposed in the zip code area shall apply if the area includes more than one tax rate in any level of taxing jurisdiction. For the purposes of this section, there shall be a rebuttable presumption that a vendor has exercised due diligence if the vendor has attempted to determine the tax rate and jurisdiction by utilizing software approved by the director and makes the assignment from the address and zip code information applicable to the purchase. If the director certifies an address-based database provided by a third party, a vendor may use such database in place of the database records provided for in this subsection.
4. The electronic databases provided for in subsections 1 and 3 of this section shall be in downloadable format as determined by the director. The databases may be directly provided by the director or provided by a third party as designated by the director. The databases shall be provided at no cost to the user of the database.

5. The provisions of subsection 3 of this section shall not apply if the purchased product is received by the purchaser at the business location of the vendor.

6. No vendor shall be liable for reliance upon erroneous data provided by the director on tax rates, boundaries, or taxing jurisdiction assignments.

144.638. 1. (1) The director shall provide and maintain a taxability matrix. The state's entries in the matrix shall be provided and maintained by the director in a database that is in a downloadable format.

(2) The director shall provide reasonable notice of changes in the taxability of the products or services listed in the taxability matrix.

(3) A seller or CSP shall be relieved from liability to this state or any local taxing jurisdiction for having charged and collected the incorrect amount of state or local sales or use tax resulting from such seller's or CSP's reliance upon erroneous data provided or approved by the director in the taxability matrix, and a seller shall be relieved from liability for erroneous returns made by a CSP on behalf of the seller.

2. A purchaser shall be relieved from any additional tax, interest, additions, or penalties for failure to collect and remit the proper amount of tax owed on a purchase subject to sales tax under this chapter if:
(1) The purchaser's seller or a certified service provider relied on erroneous data provided by the director on tax rates, boundaries, taxing jurisdiction assignments, or in the taxability matrix created under subsection 1 of this section;

(2) A purchaser using a database created under subsection 1 of this section received erroneous data provided by the director on tax rates, boundaries, or taxing jurisdiction assignments; or

(3) A purchaser relied on erroneous data provided by the director in the taxability matrix created under subsection 1 of this section.

144.752. 1. For the purposes of this section, the following terms shall mean:

(1) "Marketplace facilitator", a person that:
   (a) Facilitates a retail sale by a marketplace seller by listing or advertising for sale by the marketplace seller, in any forum, tangible personal property or services that are subject to tax under this chapter; and
   (b) Either directly or indirectly through agreements or arrangements with third parties collects payment from the purchaser and transmits all or part of the payment to the marketplace seller.

A marketplace facilitator is a seller and shall comply with the provisions of this chapter. A marketplace facilitator does not include a person who provides internet advertising services, or product listing, and does not collect payment from the purchaser and transmit payment to the marketplace seller; does not include a person with respect to the provision of travel agency services or the operation of a marketplace or that portion of a marketplace that enables
consumers to receive travel agency services; and does not
include a third party financial institution appointed by a
merchant or a marketplace facilitator to handle various
forms of payment transactions, such as processing credit
cards and debit cards, and whose sole activity with respect
to marketplace sales is to facilitate the payment
transactions between two parties. For the purposes of this
subdivision, "travel agency services" means facilitating,
for a commission, fee, or other consideration, vacation or
travel packages; rental car or other travel reservations;
tickets for domestic or foreign travel by air, rail, ship,
bus, or other medium of transportation; or hotel or other
lodging accommodations;

(2) "Marketplace seller", a seller that makes sales
through any electronic marketplace operated by a marketplace
facilitator;

(3) "Person", any individual; firm; copartnership;
joint venture; association; corporation, municipal or
private, whether organized for profit or not; state; county;
political subdivision; state department, commission, board,
bureau, or agency, except the department of transportation;
estate; trust; business trust; receiver or trustee appointed
by the state or a federal court; syndicate; or any other
group or combination acting as a unit;

(4) "Purchaser", any person who is the recipient for a
valuable consideration of any sale of tangible personal
property acquired for use, storage, or consumption in this
state;

(5) "Retail sale", the same meaning as defined under
sections 144.010 and 144.011, excluding motor vehicles,
trailers, motorcycles, mopeds, motortricycles, boats, and
outboard motors required to be titled under the laws of the
state and subject to tax under subdivision (9) of subsection 1 of section 144.020;

(6) "Seller", a person selling or furnishing tangible personal property or rendering services on the receipts from which a tax is imposed under section 144.020.

2. (1) Beginning January 1, 2023, marketplace facilitators that engage in business activities within this state shall register with the department to collect and remit use tax, as applicable, on sales made through the marketplace facilitator's marketplace by or on behalf of a marketplace seller that are delivered into the state, whether by the marketplace facilitator or another person, and regardless of whether the marketplace seller for whom sales are facilitated possesses a retail sales license or would have been required to collect use tax had the sale not been facilitated by the marketplace facilitator. Such retail sales shall include those made directly by the marketplace facilitator and shall also include those retail sales made by marketplace sellers through the marketplace facilitator's marketplace. The collection and reporting requirements of this subsection shall not apply to retail sales other than those made through a marketplace facilitator's marketplace. Nothing in this section shall be construed to limit or prohibit the ability of a marketplace facilitator and a marketplace seller to enter into agreements regarding the fulfillment of the requirements of this chapter.

(2) All taxable sales made through a marketplace facilitator's marketplace by or on behalf of a marketplace seller shall be deemed to be consummated at the location in this state to which the item is shipped or delivered, or at which possession is taken by the purchaser.
3. Marketplace facilitators that are required to collect use tax under this section shall report and remit the tax separately from any sales and use tax collected by the marketplace facilitator, or by affiliates of the marketplace facilitator, that the marketplace facilitator would have been required to collect and remit under the provisions of this chapter prior to January 1, 2023. Such tax shall be reported and remitted as determined by the department. Marketplace facilitators shall maintain records of all sales delivered to a location in the state, including electronic or paper copies of invoices showing the purchaser, address, purchase amount, and use tax collected. Such records shall be made available for review and inspection upon request by the department.

4. Marketplace facilitators who properly collect and remit to the department in a timely manner use tax on sales in accordance with the provisions of this section by or on behalf of marketplace sellers shall be eligible for any discount provided under this chapter.

5. A marketplace facilitator shall separately state on an invoice provided to a purchaser the use tax collected and remitted on behalf of a marketplace seller.

6. Any taxpayer who remits use tax under this section shall be entitled to refunds or credits to the same extent and in the same manner provided for in section 144.190 for taxes collected and remitted under this section. Nothing in this section shall relieve a purchaser of the obligation to remit use tax for any retail sale taxable under this chapter for which a marketplace facilitator or marketplace seller does not collect and remit the use tax.

7. Except as provided under subsection 8 of this section, marketplace facilitators shall be subject to the
penalty provisions, procedures, and reporting requirements
provided under the provisions of this chapter.

8. No class action shall be brought against a
marketplace facilitator in any court in this state on behalf
of purchasers arising from or in any way related to an
overpayment of use tax collected on retail sales facilitated
by a marketplace facilitator, regardless of whether that
claim is characterized as a tax refund claim. Nothing in
this subsection shall affect a purchaser’s right to seek a
refund as provided under section 144.190.

9. The department may promulgate rules to implement the
provisions of this section. Any rule or portion of a rule,
as that term is defined in section 536.010, that is created
under the authority delegated in this section shall become
effective only if it complies with and is subject to all of
the provisions of chapter 536 and, if applicable, section
536.028. This section and chapter 536 are nonseverable and
if any of the powers vested with the general assembly
pursuant to chapter 536 to review, to delay the effective
date, or to disapprove and annul a rule are subsequently
held unconstitutional, then the grant of rulemaking
authority and any rule proposed or adopted after January 1,
2023, shall be invalid and void.

144.757. 1. Any county or municipality[, except
municipalities within a county having a charter form of
government with a population in excess of nine hundred
thousand,] may, by a majority vote of its governing body,
impose a local use tax if a local sales tax is imposed as
defined in section 32.085 or if a sales tax is imposed under
section 94.850 or 94.890, with such local use tax imposed at
a rate equal to the rate of the local sales tax [in effect
in] and any sales tax imposed under section 94.850 or 94.890
by such county or municipality; provided, however, that no ordinance or order enacted pursuant to sections 144.757 to 144.761 shall be effective unless the governing body of the county or municipality submits to the voters thereof at a municipal, county or state general, primary or special election a proposal to authorize the governing body of the county or municipality to impose a local use tax pursuant to sections 144.757 to 144.761. [Municipalities within a county having a charter form of government with a population in excess of nine hundred thousand may, upon voter approval received pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section, impose a local use tax at the same rate as the local municipal sales tax with the revenues from all such municipal use taxes to be distributed pursuant to subsection 4 of section 94.890. The municipality shall within thirty days of the approval of the use tax imposed pursuant to paragraph (b) of subdivision (2) of subsection 2 of this section select one of the distribution options permitted in subsection 4 of section 94.890 for distribution of all municipal use taxes.

2.] (1) The ballot of submission[, except for counties and municipalities described in subdivisions (2) and (3) of this subsection,] shall contain substantially the following language:

Shall the _____ (county or municipality's name) impose a local use tax at the same rate as the total local sales tax rate, [currently _____ (insert percent),] provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? [A use tax return shall not be required to be filed by
persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.]

☐ YES  ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(2) [(a) The ballot of submission in a county having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

For the purposes of enhancing county and municipal public safety, parks, and job creation and enhancing local government services, shall the county be authorized to collect a local use tax equal to the total of the existing county sales tax rate of (insert tax rate), provided that if the county sales tax is repealed, reduced or raised by voter approval, the local use tax rate shall also be repealed, reduced or raised by the same voter action? Fifty percent of the revenue shall be used by the county throughout the county for improving and enhancing public safety, park improvements, and job creation, and fifty percent shall be used for enhancing local government services. The county shall be required to make available to the public an audited comprehensive financial report detailing the management and use of the countywide portion of the funds each year.
A use tax is the equivalent of a sales tax on purchases from out-of-state sellers by in-state buyers and on certain taxable business transactions. A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

☐ YES ☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(b) The ballot of submission in a municipality within a county having a charter form of government with a population in excess of nine hundred thousand shall contain substantially the following language:

Shall the municipality be authorized to impose a local use tax at the same rate as the local sales tax by a vote of the governing body, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

☐ YES ☐ NO
If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(3) The ballot of submission in any city not within a county shall contain substantially the following language:
Shall the _____ (city name) impose a local use tax at the same rate as the local sales tax, currently at a rate of _____ (insert percent) which includes the capital improvements sales tax and the transportation tax, provided that if any local sales tax is repealed, reduced or raised by voter approval, the respective local use tax shall also be repealed, reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year.

□ YES □ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

(4) If any of such ballots are submitted on August 6, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect October 1, 1996, provided the director of revenue receives notice of adoption of the local
use tax on or before August 16, 1996. If any of such ballots are submitted after December 31, 1996, and if a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments thereto shall be in effect on the first day of the calendar quarter which begins at least forty-five days after the director of revenue receives notice of adoption of the local use tax. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the governing body of the county or municipality shall have no power to impose the local use tax as herein authorized unless and until the governing body of the county or municipality shall again have submitted another proposal to authorize the governing body of the county or municipality to impose the local use tax and such proposal is approved by a majority of the qualified voters voting thereon.

[3.] 2. The local use tax may be imposed at the same rate as the local sales tax then currently in effect in the county or municipality upon all transactions which are subject to the taxes imposed pursuant to sections 144.600 to 144.745 within the county or municipality adopting such tax; provided, however, that if any local sales tax is repealed or the rate thereof is reduced or raised by voter approval, the local use tax rate shall also be deemed to be repealed, reduced or raised by the same action repealing, reducing or raising the local sales tax.

[4.] 3. For purposes of sections 144.757 to 144.761, the use tax may be referred to or described as the equivalent of a sales tax on purchases made from out-of-state sellers by in-state buyers and on certain intrabusiness transactions. Such a description shall not
change the classification, form or subject of the use tax or the manner in which it is collected. The use tax shall not be described as a new tax or as not a new tax and shall not be advertised or promoted in a manner in violation of section 115.646.

144.759. 1. All local use taxes collected by the director of revenue pursuant to sections 144.757 to 144.761 on behalf of any county or municipality, less one percent for cost of collection, which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087 shall be deposited with the state treasurer in a local use tax trust fund, which fund shall be separate and apart from the local sales tax trust funds. The moneys in such local use tax trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The director of revenue shall keep accurate records of the amount of money in the trust fund which was collected in each county or municipality imposing a local use tax, and the records shall be open to the inspection of officers of the county or municipality and to the public. No later than the tenth day of each month, the director of revenue shall distribute all moneys deposited in the trust fund during the preceding month, except as provided in subsection 2 of this section, to the county or municipality treasurer, or such other officer as may be designated by the county or municipality ordinance or order, of each county or municipality imposing the tax authorized by sections 144.757 to 144.761, the sum due the county or municipality as certified by the director of revenue.

2. Subject to the provisions of subsection 1 of this section, the director of revenue shall distribute all moneys
which would be due any county having a charter form of
government and having a population of nine hundred thousand
or more to the county treasurer or such other officer as may
be designated by county ordinance, who shall distribute
[such moneys as follows: the] that portion of the use [tax]
taxes imposed by the county [which equals one-half the rate
of sales tax in effect for such county shall be disbursed to
the county treasurer for expenditure throughout the county
for public safety, parks, and job creation, subject to any
qualifications and regulations adopted by ordinance of the
county. Such ordinance shall require an audited
comprehensive financial report detailing the management and
use of such funds each year. Such ordinance shall also
require that the county and the municipal league of the
county jointly prepare a strategy to guide expenditures of
funds and conduct an annual review of the strategy. The
treasurer or such other officer as may be designated by
county ordinance shall distribute one-third of the balance
to the county and to each city, town and village in group B
according to section 66.620 as modified by this section, a
portion of the two-thirds remainder of such balance equal to
the percentage ratio that the population of each such city,
town or village bears to the total population of all such
group B cities, towns and villages. For the purposes of
this subsection, population shall be determined by the last
federal decennial census or the latest census that
determines the total population of the county and all
political subdivisions therein. For the purposes of this
subsection, each city, town or village in group A according
to section 66.620 but whose per capita sales tax receipts
during the preceding calendar year pursuant to sections
66.600 to 66.630 were less than the per capita countywide
average of all sales tax receipts during the preceding
calendar year, shall be treated as a group B city, town or
village until the per capita amount distributed to such
city, town or village equals the difference between the per
capita sales tax receipts during the preceding calendar year
and the per capita countywide average of all sales tax
receipts during the preceding calendar year] that is equal
to the rate of sales taxes imposed by the county under
sections 66.600 and 67.547 to the cities, towns, and
villages within such county and to the unincorporated area
of the county on the ratio of the population that each such
city, town, village, and the unincorporated areas of the
county bears to the total population of the county;
provided, however, the county treasurer or other officer
shall distribute that portion of the use tax imposed by the
county equal to the rate of sales tax imposed by the county
under section 67.547 for the purpose of funding zoological
activities and zoological facilities of the zoological park
subdistrict of the metropolitan zoological park and museum
district as created under section 184.350.

3. The director of revenue may authorize the state
treasurer to make refunds from the amounts in the trust fund
and credited to any county or municipality for erroneous
payments and overpayments made, and may redeem dishonored
checks and drafts deposited to the credit of such counties
or municipalities. If any county or municipality abolishes
the tax, the county or municipality shall notify the
director of revenue of the action at least ninety days prior
to the effective date of the repeal, and the director of
revenue may order retention in the trust fund, for a period
of one year, of two percent of the amount collected after
receipt of such notice to cover possible refunds or
overpayment of the tax and to redeem dishonored checks and
drafts deposited to the credit of such accounts. After one
year has elapsed after the effective date of abolition of
the tax in such county or municipality, the director of
revenue shall authorize the state treasurer to remit the
balance in the account to the county or municipality and
close the account of that county or municipality. The
director of revenue shall notify each county or municipality
of each instance of any amount refunded or any check
redeemed from receipts due the county or municipality.

4. Except as modified in sections 144.757 to 144.761,
all provisions of sections 32.085 and 32.087 applicable to
the local sales tax, except for subsection 12 of section
32.087, and all provisions of sections 144.600 to 144.745
shall apply to the tax imposed pursuant to sections 144.757
to 144.761, and the director of revenue shall perform all
functions incident to the administration, collection,
enforcement, and operation of the tax.

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] the same meaning as defined pursuant to section 99.805;

(3) "Department", the department of agriculture;

(4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, bison, 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;

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

(a) That can either grow produce, raise livestock, or produce other value-added agricultural products;

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

(6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, aquatic products as described in section 277.024, llamas, alpaca, buffalo, bison, 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;

(7) "Locally grown", a product that was grown or raised in the same county or city not within a county in which the UAZ is located or in an adjoining county or city not within a county. For a product raised or sold in a city not within a county, locally grown also includes an adjoining county with a charter form of government with more than nine hundred fifty thousand inhabitants and those adjoining said county;
(8) "Meat", any edible portion of livestock or poultry carcass or part thereof;
(9) "Meat product", anything containing meat intended for or capable of use for human consumption, which is derived, in whole or in part, from livestock or poultry;
(10) "Mobile unit", the same as motor vehicle as defined in section 301.010;
(11) "Poultry", any domesticated bird intended for human consumption;
(12) "Processing UAZ", a type of UAZ:
   (a) That processes livestock, poultry, or produce for human consumption;
   (b) That meets federal and state processing laws and standards;
   (c) Is a qualifying small business approved by the department;
(13) "Qualifying small business", those enterprises which are established within an Urban Agricultural Zone subsequent to its creation, and which meet the definition established for the Small Business Administration and set forth in Section 121.201 of Part 121 of Title 13 of the Code of Federal Regulations;
(14) "Value-added agricultural products", any product or products that are the result of:
   (a) Using an agricultural product grown in this state to produce a meat or dairy product in this state;
   (b) A change in the physical state or form of the original agricultural product;
   (c) An agricultural product grown in this state which has had its value enhanced by special production methods such as organically grown products; or
(d) A physical segregation of a commodity or agricultural product grown in this state that enhances its value such as identity preserved marketing systems;

(15) "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical area as defined by the United States Office of Budget and Management that has one or more of the following entities that is a qualifying small business and approved by the department, as follows:

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

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

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

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

(16) "Vending UAZ", a type of UAZ:

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

(b) That is able to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program as a form of payment; and

(c) Is a qualifying small business that is approved by the department for an UAZ vendor license.

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

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

(b) The number of jobs to be created;

(c) The types of products to be produced; and

(d) If applying for a vending UAZ, the ability to accept food stamps under the provisions of the Supplemental Nutrition Assistance Program if selling products to consumers.

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

(3) Approval of the UAZ by such municipality shall be reviewed five and ten years after the development of the UAZ. After twenty-five years, the UAZ shall dissolve.

If the municipality finds during its review that the UAZ is not meeting the requirements set out in this section, the municipality may dissolve the UAZ.

3. The governing body of any municipality planning to seek designation of an urban agricultural zone shall establish an urban agricultural zone board. The number of members on the board shall be seven. One member of the board shall be appointed by the school district or districts located within the area proposed for designation of an urban agricultural zone. Two members of the board shall be appointed by other affected taxing districts. The remaining four members shall be chosen by the chief elected officer of the municipality. The four members chosen by the chief elected officer of the municipality shall all be residents of the county or city not within a county in which the UAZ is to be located, and at least one of such four members shall have experience in or represent organizations
associated with sustainable agriculture, urban farming, community gardening, or any of the activities or products authorized by this section for UAZs.

4. The school district member and the two affected taxing district members shall each have initial terms of five years. Of the four members appointed by the chief elected official, two shall have initial terms of four years, and two shall have initial terms of three years. Thereafter, members shall serve terms of five years. Each member shall hold office until a successor has been appointed. All vacancies shall be filled in the same manner as the original appointment. For inefficiency or neglect of duty or misconduct in office, a member of the board may be removed by the applicable appointing authority.

5. A majority of the members shall constitute a quorum of such board for the purpose of conducting business and exercising the powers of the board and for all other purposes. Action may be taken by the board upon a vote of a majority of the members present.

6. The members of the board annually shall elect a chair from among the members.

7. The role of the board shall be to conduct the activities necessary to advise the governing body on the designation of an urban agricultural zone and any other advisory duties as determined by the governing body. The role of the board after the designation of an urban agricultural zone shall be review and assessment of zone activities.

8. Prior to the adoption of an ordinance proposing the designation of an urban agricultural zone, the urban agricultural board shall fix a time and place for a public hearing and notify each taxing district located wholly or
partially within the boundaries of the proposed urban
agricultural zone. The board shall send, by certified mail,
a notice of such hearing to all taxing districts and
political subdivisions in the area to be affected and shall
publish notice of such hearing in a newspaper of general
circulation in the area to be affected by the designation at
least twenty days prior to the hearing but not more than
thirty days prior to the hearing. Such notice shall state
the time, location, date, and purpose of the hearing. At
the public hearing any interested person or affected taxing
district may file with the board written objections to, or
comments on, and may be heard orally in respect to, any
issues embodied in the notice. The board shall hear and
consider all protests, objections, comments, and other
evidence presented at the hearing. The hearing may be
continued to another date without further notice other than
a motion to be entered upon the minutes fixing the time and
place of the subsequent hearing.

9. Following the conclusion of the public hearing
required under subsection 8 of this section, the governing
authority of the municipality may adopt an ordinance
designating an urban agricultural zone.

10. The real property of the UAZ shall not be subject
to assessment or payment of ad valorem taxes on real
property imposed by the cities affected by this section, or
by the state or any political subdivision thereof, for a
period of up to twenty-five years as specified by ordinance
under subsection 9 of this section, except to such extent
and in such amount as may be imposed upon such real property
during such period, as was determined by the assessor of the
county in which such real property is located, or, if not
located within a county, then by the assessor of such city,
in an amount not greater than the amount of taxes due and
payable thereon during the calendar year preceding the
calendar year during which the urban agricultural zone was
designated. The amounts of such tax assessments shall not
be increased during such period so long as the real property
is used in furtherance of the activities provided under the
provisions of subdivision (15) of subsection 1 of this
section. At the conclusion of the period of abatement
provided by the ordinance, the property shall then be
reassessed. If only a portion of real property is used as
an UAZ, then only that portion of real property shall be
exempt from assessment or payment of ad valorem taxes on
such property, as provided by this section.

11. If the water services for the UAZ are provided by
the municipality, the municipality may authorize a grower
UAZ to pay wholesale water rates for the cost of water
consumed on the UAZ. If available, the UAZ may pay fifty
percent of the standard cost to hook onto the water source.

12. (1) Any local sales tax revenues received from
the sale of agricultural products sold in the UAZ, or any
local sales tax revenues received by a mobile unit
associated with a vending UAZ selling agricultural products
in the municipality in which the vending UAZ is located,
shall be deposited in the urban agricultural zone fund
established in subdivision (2) of this subsection. An
amount equal to one percent shall be retained by the
director of revenue for deposit in the general revenue fund
to offset the costs of collection.

(2) There is hereby created in the state treasury the
"Urban Agricultural Zone Fund", which shall consist of money
collected under subdivision (1) of this subsection. The
state treasurer shall be custodian of the fund. In
accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund and, upon appropriation, shall be used for the purposes authorized by this section. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. Fifty percent of fund moneys shall be made available to school districts. The remaining fifty percent of fund moneys shall be allocated to municipalities that have urban agricultural zones based upon the municipality's percentage of local sales tax revenues deposited into the fund. The municipalities shall, upon appropriation, provide fund moneys to urban agricultural zones within the municipality for improvements. School districts may apply to the department for money in the fund to be used for the development of curriculum on or the implementation of urban farming practices under the guidance of the University of Missouri extension service and a certified vocational agricultural instructor. The funds are to be distributed on a competitive basis within the school district or districts in which the UAZ is located pursuant to rules to be promulgated by the department, with special consideration given to the relative number of students eligible for free and reduced-price lunches attending the schools within such district or districts.

13. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective
only if it complies with and is subject to all of the
provisions of chapter 536 and, if applicable, section
536.028. This section and chapter 536 are nonseverable and
if any of the powers vested with the general assembly
pursuant to chapter 536 to review, to delay the effective
date, or to disapprove and annul a rule are subsequently
held unconstitutional, then the grant of rulemaking
authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

14. The provisions of this section shall not apply to
any county with a charter form of government and with more
than three hundred thousand but fewer than four hundred
fifty thousand inhabitants.

353.020. The following terms, whenever used or
referred to in this chapter, mean:

(1) "Area", that portion of the city which the
legislative authority of such city has found or shall find
to be blighted so that the clearance, replanning,
rehabilitation, or reconstruction thereof is necessary to
effectuate the purposes of this law. Any such area may
include buildings or improvements not in themselves
blighted, and any real property, whether improved or
unimproved, the inclusion of which is deemed necessary for
the effective clearance, replanning, reconstruction or
rehabilitation of the area of which such buildings,
improvements or real property form a part;

(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\[ the same meaning as defined \]
pursuant to section 99.805;

(3) "City" or "such cities", any city within this state and any county of the first classification with a charter form of government and a population of at least nine hundred thousand inhabitants or any county with a charter form of government and with more than six hundred thousand but less than seven hundred thousand inhabitants. The county's authority pursuant to this chapter shall be restricted to the unincorporated areas of such county;

(4) "Development plan", a plan, together with any amendments thereto, for the development of all or any part of a blighted area, which is authorized by the legislative authority of any such city;

(5) "Legislative authority", the city council or board of aldermen of the cities affected by this chapter;

(6) "Mortgage", a mortgage, trust indenture, deed of trust, building and loan contract, or other instrument creating a lien on real property, to secure the payment of an indebtedness, and the indebtedness secured by any of them;

(7) "Real property" includes lands, buildings, improvements, land under water, waterfront property, and any and all easements, franchises and hereditaments, corporeal or incorporeal, and every estate, interest, privilege, easement, franchise and right therein, or appurtenant thereto, legal or equitable, including restrictions of record, created by plat, covenant or otherwise, rights-of-way and terms for years;

(8) "Redevelopment", the clearance, replanning, reconstruction or rehabilitation of any blighted area, and the provision for such industrial, commercial, residential or public structures and spaces as may be appropriate,
including recreational and other facilities incidental or
appurtenant thereto;

(9) "Redevelopment project", a specific work or
improvement to effectuate all or any part of a development
plan;

(10) "Urban redevelopment corporation", a corporation
organized pursuant to this chapter; except that any life
insurance company organized pursuant to the laws of, or
admitted to do business in, the state of Missouri may from
time to time within five years after April 23, 1946,
undertake, alone or in conjunction with, or as a lessee of
any such life insurance company or urban redevelopment
corporation, a redevelopment project pursuant to this
chapter, and shall, in its operations with respect to any
such redevelopment project, but not otherwise, be deemed to
be an urban redevelopment corporation for the purposes of
this section and sections 353.010, 353.040, 353.060 and
353.110 to 353.160.

620.2005. 1. As used in sections 620.2000 to
620.2020, the following terms mean:

(1) "Average wage", the new payroll divided by the
number of new jobs, or the payroll of the retained jobs
divided by the number of retained jobs;

(2) "Commencement of operations", the starting date
for the qualified company's first new employee, which shall
be no later than twelve months from the date of the approval;

(3) "Contractor", a person, employer, or business
entity that enters into an agreement to perform any service
or work or to provide a certain product in exchange for
valuable consideration. This definition shall include but
not be limited to a general contractor, subcontractor,
independent contractor, contract employee, project manager, or a recruiting or staffing entity;

(4) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually.

Notwithstanding the provisions of this subdivision to the contrary, for any qualified company that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, the company shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;

(5) "Department", the Missouri department of economic development;

(6) "Director", the director of the department of economic development;

(7) "Employee", a person employed by a qualified company, excluding:

(a) Owners of the qualified company unless the qualified company is participating in an employee stock ownership plan; or

(b) Owners of a noncontrolling interest in stock of a qualified company that is publicly traded;

(8) "Existing Missouri business", a qualified company that, for the ten-year period preceding submission of a notice of intent to the department, had a physical location
in Missouri and full-time employees who routinely performed
job duties within Missouri;

(9) "Full-time employee", an employee of the qualified
company that is scheduled to work an average of at least
thirty-five hours per week for a twelve-month period, and
one for which the qualified company offers health insurance
and pays at least fifty percent of such insurance premiums.
An employee that spends less than fifty percent of the
employee's work time at the facility shall be considered to
be located at a facility if the employee receives his or her
directions and control from that facility, is on the
facility's payroll, one hundred percent of the employee's
income from such employment is Missouri income, and the
employee is paid at or above the applicable percentage of
the county average wage;

(10) "Industrial development authority", an industrial
development authority organized under chapter 349 that has
entered into a formal written memorandum of understanding
with an entity of the United States Department of Defense
regarding a qualified military project;

(11) "Infrastructure projects", highways, roads,
streets, bridges, sewers, traffic control systems and
devices, water distribution and supply systems, curbing,
sidewalks, storm water and drainage systems, broadband
internet infrastructure, and any other similar public
improvements, but in no case shall infrastructure projects
include private structures;

(12) "Local incentives", the present value of the
dollar amount of direct benefit received by a qualified
company for a project facility from one or more local
political subdivisions, but this term shall not include
loans or other funds provided to the qualified company that
shall be repaid by the qualified company to the political subdivision;

(13) "Manufacturing capital investment", expenditures made by a qualified manufacturing company to retool or reconfigure a manufacturing project facility directly related to the manufacturing of a new product or the expansion or modification of the manufacture of an existing product;

(14) "Memorandum of understanding", an agreement executed by an industrial development authority and an entity of the United States Department of Defense, a copy of which is provided to the department of economic development, that states, but is not limited to:

(a) A requirement for the military to provide the total number of existing jobs, jobs directly created by a qualified military project, and average salaries of such jobs to the industrial development authority and the department of economic development annually for the term of the benefit;

(b) A requirement for the military to provide an accounting of the expenditures of capital investment made by the military directly related to the qualified military project to the industrial development authority and the department of economic development annually for the term of the benefit;

(c) The process by which the industrial development authority shall monetize the tax credits annually and any transaction cost or administrative fee charged by the industrial development authority to the military on an annual basis;

(d) A requirement for the industrial development authority to provide proof to the department of economic
development of the payment made to the qualified military project annually, including the amount of such payment;

(e) The schedule of the maximum amount of tax credits which may be authorized in each year for the project and the specified term of the benefit, as provided by the department of economic development; and

(f) A requirement that the annual benefit paid shall be the lesser of:

a. The maximum amount of tax credits authorized; or

b. The actual calculated benefit derived from the number of new jobs and average salaries;

(15) "NAICS" or "NAICS industry classification", the classification provided by the most recent edition of the North American Industry Classification System as prepared by the Executive Office of the President, Office of Management and Budget;

(16) "New capital investment", shall include costs incurred by the qualified company at the project facility after acceptance by the qualified company of the proposal for benefits from the department or the approval notice of intent, whichever occurs first, for real or personal property, and may include the value of finance or capital leases for real or personal property for the term of such lease at the project facility executed after acceptance by the qualified company of the proposal for benefits from the department or the approval of the notice of intent;

(17) "New direct local revenue", the present value of the dollar amount of direct net new tax revenues of the local political subdivisions likely to be produced by the project over a ten-year period as calculated by the department, excluding local earnings tax, and net new utility revenues, provided the local incentives include a
discount or other direct incentives from utilities owned or
operated by the political subdivision;

(18) "New job", the number of full-time employees
located at the project facility that exceeds the project
facility base employment less any decrease in the number of
full-time employees at related facilities below the related
facility base employment. No job that was created prior to
the date of the notice of intent shall be deemed a new job;

(19) "New payroll", the amount of wages paid for all
new jobs, located at the project facility during the
qualified company's tax year that exceeds the project
facility base payroll;

(20) "New product", a new model or line of a
manufactured good that has not been manufactured in Missouri
by a qualified manufacturing company at any time prior to
the date of the notice of intent, or an existing brand,
model, or line of a manufactured good that is redesigned;

(21) "Notice of intent", a form developed by the
department and available online, completed by the qualified
company, and submitted to the department stating the
qualified company's intent to request benefits under this
program. The notice of intent shall be accompanied with a
detailed plan by the qualifying company to make good faith
efforts to employ, at a minimum, commensurate with the
percentage of minority populations in the state of Missouri,
as reported in the previous decennial census, the
following: racial minorities, contractors who are racial
minorities, and contractors that, in turn, employ at a
minimum racial minorities commensurate with the percentage
of minority populations in the state of Missouri, as
reported in the previous decennial census. At a minimum,
such plan shall include monitoring the effectiveness of
outreach and recruitment strategies in attracting diverse applicants and linking with different or additional referral sources in the event that recruitment efforts fail to produce a diverse pipeline of applicants;

(22) "Percent of local incentives", the amount of local incentives divided by the amount of new direct local revenue;

(23) "Program", the Missouri works program established in sections 620.2000 to 620.2020;

(24) "Project facility", the building or buildings used by a qualified company at which new or retained jobs and any new capital investment are or will be located or by a qualified manufacturing company at which a manufacturing capital investment is or will be located. A project facility may include separate buildings located within sixty miles of each other such that their purpose and operations are interrelated; provided that where the buildings making up the project facility are not located within the same county, the average wage of the new payroll shall exceed the applicable percentage of the highest county average wage among the counties in which the buildings are located. Upon approval by the department, a subsequent project facility may be designated if the qualified company demonstrates a need to relocate to the subsequent project facility at any time during the project period. For qualified military projects, the term "project facility" means the military base or installation at which such qualified military project is or shall be located;

(25) "Project facility base employment", the greater of the number of full-time employees located at the project facility on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of
intent, the average number of full-time employees located at the project facility. In the event the project facility has not been in operation for a full twelve-month period, the average number of full-time employees for the number of months the project facility has been in operation prior to the date of the notice of intent;

(26) "Project facility base payroll", the annualized payroll for the project facility base employment or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at the project facility in the twelve months prior to the notice of intent. For purposes of calculating the benefits under this program, the amount of base payroll shall increase each year based on an appropriate measure, as determined by the department;

(27) "Project period", the time period within which benefits are awarded to a qualified company or within which the qualified company is obligated to perform under an agreement with the department, whichever is greater;

(28) "Projected net fiscal benefit", the total fiscal benefit to the state less any state benefits offered to the qualified company, as determined by the department;

(29) "Qualified company", a firm, partnership, joint venture, association, private or public corporation whether organized for profit or not, or headquarters of such entity registered to do business in Missouri that is the owner or operator of a project facility, certifies that it offers health insurance to all full-time employees of all facilities located in this state, and certifies that it pays at least fifty percent of such insurance premiums. For the purposes of sections 620.2000 to 620.2020, the term "qualified company" shall not include:
(a) Gambling establishments (NAICS industry group 7132);
(b) Store front consumer-based retail trade establishments (under NAICS sectors 44 and 45), except with respect to any company headquartered in this state with a majority of its full-time employees engaged in operations not within the NAICS codes specified in this subdivision and except for any such establishments located in a county of the third or fourth classification;
(c) Food and drinking places (NAICS subsector 722);
(d) Public utilities (NAICS 221 including water and sewer services);
(e) Any company that is delinquent in the payment of any nonprotested taxes or any other amounts due the state or federal government or any other political subdivision of this state;
(f) Any company requesting benefits for retained jobs that has filed for or has publicly announced its intention to file for bankruptcy protection. However, a company that has filed for or has publicly announced its intention to file for bankruptcy may be a qualified company provided that such company:
   a. Certifies to the department that it plans to reorganize and not to liquidate; and
   b. After its bankruptcy petition has been filed, it produces proof, in a form and at times satisfactory to the department, that it is not delinquent in filing any tax returns or making any payment due to the state of Missouri, including but not limited to all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization. Any taxpayer who is awarded benefits under this subsection and who files for bankruptcy
under Chapter 7 of the United States Bankruptcy Code, Title
11 U.S.C., shall immediately notify the department and shall
forfeit such benefits and shall repay the state an amount
equal to any state tax credits already redeemed and any
withholding taxes already retained;
(g) Educational services (NAICS sector 61);
(h) Religious organizations (NAICS industry group
8131);
(i) Public administration (NAICS sector 92);
(j) Ethanol distillation or production;
(k) Biodiesel production; or
(l) Health care and social services (NAICS sector 62).

Notwithstanding any provision of this section to the
contrary, the headquarters, administrative offices, or
research and development facilities of an otherwise excluded
business may qualify for benefits if the offices or
facilities serve a multistate territory. In the event a
national, state, or regional headquarters operation is not
the predominant activity of a project facility, the jobs and
investment of such operation shall be considered eligible
for benefits under this section if the other requirements
are satisfied;
(30) "Qualified manufacturing company", a company that:
(a) Is a qualified company that manufactures motor
vehicles (NAICS group 3361);
(b) Manufactures goods at a facility in Missouri;
(c) Manufactures a new product or has commenced making
a manufacturing capital investment to the project facility
necessary for the manufacturing of such new product, or
modifies or expands the manufacture of an existing product
or has commenced making a manufacturing capital investment
for the project facility necessary for the modification or expansion of the manufacture of such existing product; and

(d) Continues to meet the requirements of paragraphs (a) to (c) of this subdivision for the project period;

(31) "Qualified military project", the expansion or improvement of a military base or installation within this state that causes:

(a) An increase of ten or more part-time or full-time military or civilian support personnel:
   a. Whose average salaries equal or exceed ninety percent of the county average wage; and
   b. Who are offered health insurance, with an entity of the United States Department of Defense paying at least fifty percent of such insurance premiums; and

(b) Investment in real or personal property at the base or installation expressly for the purposes of serving a new or expanded military activity or unit.

For the purposes of this subdivision, part-time military or civilian support personnel shall be converted to full-time new jobs by, in hire date order, counting one full-time new job for every thirty-five averaged hours worked per week by part-time military or civilian support personnel in jobs directly created by the qualified military project. For each such full-time new job, the sum of the wages of the part-time military or civilian support personnel combined and converted to form the new job shall be the wage for the one full-time new job. Each part-time military or civilian support personnel whose job is combined and converted for such a full-time new job shall be offered health insurance as described in subparagraph b of paragraph (a) of this subdivision;
(32) "Related company", shall mean:

(a) A corporation, partnership, trust, or association controlled by the qualified company;

(b) An individual, corporation, partnership, trust, or association in control of the qualified company; or

(c) Corporations, partnerships, trusts or associations controlled by an individual, corporation, partnership, trust, or association in control of the qualified company.

As used in this paragraph, "control of a qualified company" shall mean:

a. Ownership, directly or indirectly, of stock possessing at least fifty percent of the total combined voting power of all classes of stock entitled to vote in the case of a qualified company that is a corporation;

b. Ownership of at least fifty percent of the capital or profit interest in such qualified company if it is a partnership or association;

c. Ownership, directly or indirectly, of at least fifty percent of the beneficial interest in the principal or income of such qualified company if it is a trust, and ownership shall be determined as provided in Section 318 of the Internal Revenue Code of 1986, as amended;

(33) "Related facility", a facility operated by the qualified company or a related company located in this state that is directly related to the operations of the project facility or in which operations substantially similar to the operations of the project facility are performed;

(34) "Related facility base employment", the greater of the number of full-time employees located at all related facilities on the date of the notice of intent or, for the twelve-month period prior to the date of the notice of intent, the average number of full-time employees located at
all related facilities of the qualified company or a related company located in this state;

(35) "Related facility base payroll", the annualized payroll of the related facility base payroll or the total amount of taxable wages paid by the qualified company to full-time employees of the qualified company located at a related facility in the twelve months prior to the filing of the notice of intent. For purposes of calculating the benefits under this program, the amount of related facility base payroll shall increase each year based on an appropriate measure, as determined by the department;

(36) "Rural area", a county in Missouri with a population less than seventy-five thousand or that does not contain an individual city with a population greater than fifty thousand according to the most recent federal decennial census;

(37) "Tax credits", tax credits issued by the department to offset the state taxes imposed by chapters 143 and 148, or which may be sold or refunded as provided for in this program;

(38) "Withholding tax", the state tax imposed by sections 143.191 to 143.265. For purposes of this program, the withholding tax shall be computed using a schedule as determined by the department based on average wages.

2. This section is subject to the provisions of section 196.1127.

Section 1. 1. No later than the first week of November 2021 any county or municipality of this state that has enacted a use tax shall provide notice in the newspaper with the greatest circulation in such county or municipality and on any county or municipality website, provided such website exists, that certain purchases from out-of-state vendors
will become subject to an expansion of the use tax as
provided by state law. The notice shall be printed in the
newspaper at least once per week, for two consecutive weeks.
The notice shall include the rates of the use tax in the
county or municipality and shall include general information
on repealing a local use tax under section 144.761.

2. Nothing under subsection 1 of this section shall be
construed to require that duplicate notices be published or
to prevent any counties or municipalities from coordinating
and collaborating in their notice efforts in order to
maximize cost savings to taxpayers.

[144.710. From every remittance made by a
vendor as required by sections 144.600 to
144.745 to the director of revenue on or before
the date when the remittance becomes due, the
vendor may deduct and retain an amount equal to
two percent thereof.]

[144.1000. Sections 144.1000 to 144.1015
shall be known as and referred to as the
"Simplified Sales and Use Tax Administration
Act".]

[144.1003. As used in sections 144.1000 to
144.1015, the following terms shall mean:
(1) "Agreement", the streamlined sales and
use tax agreement;
(2) "Certified automated system", software
certified jointly by the states that are
signatories to the agreement to calculate the
tax imposed by each jurisdiction on a
transaction, determine the amount of tax to
remit to the appropriate state and maintain a
record of the transaction;
(3) "Certified service provider", an agent
certified jointly by the states that are
signatories to the agreement to perform all of
the seller's sales tax functions;
(4) "Person", an individual, trust,
estate, fiduciary, partnership, limited
liability company, limited liability
partnership, corporation or any other legal
entity;
(5) "Sales tax", any sales tax levied
pursuant to this chapter, section 32.085, or any
other sales tax authorized by statute and levied
by this state or its political subdivisions;]
(6) "Seller", any person making sales, leases or rentals of personal property or services;
(7) "State", any state of the United States and the District of Columbia;
(8) "Use tax", the use tax levied pursuant to this chapter.

[144.1006. For the purposes of reviewing and, if necessary, amending the agreement embodying the simplification recommendations contained in section 144.1015, the state may enter into multistate discussions. For purposes of such discussions, the state shall be represented by seven delegates, one of whom shall be appointed by the governor, two members appointed by the speaker of the house of representatives, one member appointed by the minority leader of the house of representatives, two members appointed by the president pro tempore of the senate and one member appointed by the minority leader of the senate. The delegates need not be members of the general assembly and at least one of the delegates appointed by the speaker of the house of representatives and one member appointed by the president pro tempore of the senate shall be from the private sector and represent the interests of Missouri businesses. The delegates shall recommend to the committees responsible for reviewing tax issues in the senate and the house of representatives each year any amendment of state statutes required to be substantially in compliance with the agreement. Such delegates shall make a written report by the fifteenth day of January each year regarding the status of the multistate discussions and upon final adoption of the terms of the sales and use tax agreement by the multistate body.]

[144.1009. No provision of the agreement authorized by sections 144.1000 to 144.1015 in whole or in part invalidates or amends any provision of the law of this state. Implementation of any condition of this agreement in this state, whether adopted before, at, or after membership of this state in the agreement, must be by action of the general assembly. Such report shall be delivered to the governor, the secretary of state, the president pro tempore of the senate and the speaker of the house of representatives and shall simultaneously be made publicly available by the secretary of state to any person requesting a copy.]

[144.1012. Unless five of the seven delegates agree, the delegates shall not enter
into or vote for any streamlined sales and use tax agreement that:
(1) Requires adoption of a definition of any term that would cause any item or transaction that is now excluded or exempted from sales or use tax to become subject to sales or use tax;
(2) Requires the state of Missouri to fully exempt or fully apply sales taxes to the sale of food or any other item;
(3) Restricts the ability of local governments under statutes in effect on August 28, 2002, to enact one or more local taxes on one or more items without application of the tax to all sales within the taxing jurisdiction, however, restriction of any such taxes allowed by statutes effective after August 28, 2002, may be supported;
(4) Provides for adoption of any uniform rate structure that would result in a tax increase for any Missouri taxpayer;
(5) Affects the sourcing of sales tax transactions; or
(6) Prohibits limitations or thresholds on the application of sales and use tax rates or prohibits any current sales or use tax exemption in the state of Missouri, including exemptions that are based on the value of the transaction or item.]

[144.1015. In addition to the requirements of section 144.1012, the delegates should consider the following features when deciding whether or not to enter into any streamlined sales and use tax agreement:
(1) The agreement should address the limitation of the number of state rates over time;
(2) The agreement should establish uniform standards for administration of exempt sales and the form used for filing sales and use tax returns and remittances;
(3) The agreement should require the state to provide a central, electronic registration system that allows a seller to register to collect and remit sales and use taxes for all signatory states;
(4) The agreement should provide that registration with the central registration system and the collection of sales and use taxes in the signatory states will not be used as a factor in determining whether the seller has nexus with a state for any tax;
(5) The agreement should provide for reduction of the burdens of complying with local sales and use taxes through the following so
long as they do not conflict with the provisions of section 144.1012:
(a) Restricting variances between the state and local tax bases;
(b) Requiring states to administer any sales and use taxes levied by local jurisdictions within the state so that sellers collecting and remitting these taxes will not have to register or file returns with, remit funds to, or be subject to independent audits from local taxing jurisdictions;
(c) Restricting the frequency of changes in the local sales and use tax rates and setting effective dates for the application of local jurisdictional boundary changes to local sales and use taxes; and
(d) Providing notice of changes in local sales and use tax rates and of changes in the boundaries of local taxing jurisdictions;
(6) The agreement should outline any monetary allowances that are to be provided by the states to sellers or certified service providers. The agreement must allow for a joint public and private sector study of the compliance cost on sellers and certified service providers to collect sales and use taxes for state and local governments under various levels of complexity to be completed by July 1, 2003;
(7) The agreement should require each state to certify compliance with the terms of the agreement prior to joining and to maintain compliance, under the laws of the member state, with all provisions of the agreement while a member, only if the agreement and any amendment thereto complies with the provisions of section 144.1012;
(8) The agreement should require each state to adopt a uniform policy for certified service providers that protects the privacy of consumers and maintains the confidentiality of tax information; and
(9) The agreement should provide for the appointment of an advisory council of private sector representatives and an advisory council of nonmember state representatives to consult with in the administration of the agreement.

Section B. The enactment of sections 143.177, 144.608, 144.637, 144.638, and 144.752 of this act; the repeal and reenactment of sections 143.011, 144.011, 144.014, 144.020, 144.049, 144.054, 144.140, 144.526, and 144.605 of this act; and the repeal of sections 144.710, 144.1000, 144.1003,
144.1006, 144.1009, 144.1012, and 144.1015 of this act shall become effective January 1, 2023.

Section C. Because immediate action is necessary to protect the interests of taxpayers during the COVID-19 pandemic, the repeal and reenactment of sections 143.121 and 143.171 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 143.121 and 143.171 of this act shall be in full force and effect upon its passage and approval.

Section D. The repeal and reenactment of Section 67.2677 shall become effective August 28, 2023.