

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/House Bill No. 2400, Page 5, Section 285.730, Line 143,

2 by inserting after all of said line the following:

3 "620.850. 1. This section shall be known and may be
 4 cited as the "Citizen's Land Development Cooperative Act".

5 2. As used in this section, the following terms shall
 6 mean:

7 (1) "Commission", the citizen's land development
 8 cooperative commission established in subsection 3 of this
 9 section;

10 (2) "Citizen's land development cooperative", a for-
 11 profit, citizen-owned, professionally managed real estate
 12 planning and development corporation or land cooperative
 13 that may:

14 (a) Receive title to land, natural resources, physical
 15 infrastructure, or facilities donated by a not-for-profit
 16 organization or government entity;

17 (b) Borrow money on behalf of its shareholders to
 18 purchase land, plan its use, and develop the land and
 19 natural resources for productive and ecologically suitable
 20 purposes; and

21 (c) Enable each citizen whose principal residence is
 22 situated in a local or regional area for which future
 23 development will be controlled by a citizen's land
 24 development cooperative to acquire, free as a right of
 25 citizenship, an equal, lifetime, non-transferable, private
 26 property ownership stake in local land use and

27 infrastructure development, share profits from land rentals,
28 natural resource use or extraction revenues, and
29 infrastructure user fees, and have a voice as an owner in
30 the governance of future land development in the community;

31 (3) "Department", the Missouri department of economic
32 development.

33 3. (1) There is hereby established within the
34 department the citizen's land development cooperative
35 commission.

36 (2) The commission shall consist of eleven members to
37 be appointed by the governor, with the advice and consent of
38 the senate, one of whom shall be designated as chair of the
39 commission at the time of appointment.

40 (3) Of the members initially appointed, three members
41 shall serve a term of one year, three members shall serve a
42 term of two years, three members shall serve a term of three
43 years, and two members, one of whom shall be the chair,
44 shall serve a term of four years. Thereafter, all terms
45 shall be for four years.

46 4. (1) The commission may begin to conduct business
47 upon the appointment of a majority of the voting members,
48 including the chair. The commission may adopt bylaws, and
49 may establish committees and officers as it deems necessary.

50 (2) A majority of members of the commission shall
51 constitute a quorum, and meetings of the commission shall be
52 subject to the provisions of chapter 610. The commission
53 shall afford an opportunity for public comment at each
54 public meeting.

55 (3) All members of the commission shall serve without
56 compensation for such service, but shall be reimbursed for
57 all necessary and actual expenses incurred by them in the
58 performance of their official duties.

59 (4) Subject to appropriation, the department shall
60 provide staff and administrative support services to the
61 commission.

62 5. The commission shall gather information and make
63 annual reports of recommendations to the governor and to the
64 general assembly regarding the establishment and operation
65 of citizen's land development cooperatives. The reports
66 shall include recommendations concerning, without limitation:

67 (1) The establishment of policies regarding citizen's
68 land development cooperatives;

69 (2) The approval of citizen's land development
70 cooperatives throughout the state;

71 (3) The establishment of guidelines for citizens of
72 localities to petition for local referenda to create
73 citizen's land development cooperatives and to determine the
74 participation plan for allocation, shareholder governance,
75 and ownership rights, the issuance and cancellation of
76 shares of citizen's land development cooperatives, and the
77 disposition of assets in the event of the dissolution of a
78 citizen's land development cooperative;

79 (4) The establishment of tax reforms that encourage
80 the use and effectiveness of citizen's land development
81 cooperatives through the exemption from all state and local
82 taxes on the holdings of land, natural resources,
83 improvements, other tangible and intangible assets,
84 undistributed capital gains, and undistributed profits,
85 provided that at least ninety percent of the annual profits
86 are distributed as taxable dividends, other forms of taxable
87 distributions to its shareholders and workers, and debt
88 service payments on its loans;

89 (5) The rendering of assistance to localities on
90 problems, concerns, and issues related to the development of
91 citizen's land development cooperatives;

92 (6) The undertaking of studies and gathering
93 information and data to accomplish the purposes as set forth
94 in this section and to formulate and present recommendations
95 to the governor and the general assembly;

96 (7) Applying for, accepting, and expending gifts,
97 grants, loans, or donations from public, quasi-public, or
98 private sources, including any matching funds as may be
99 designated in an appropriation to the department, to enable
100 the commission to carry out its purpose; and

101 (8) Accounting annually on its fiscal activities,
102 including any matching funds received or expended by the
103 commission.

104 6. (1) Subject to appropriation, the department shall
105 develop and maintain a program to make grants to communities
106 seeking to establish citizen's land development cooperatives
107 and encourage them to become self-sustaining from land
108 rentals and other fees within the first five years of their
109 formation. The procedures for grant application shall be
110 established by the department by rule.

111 (2) The commission shall seek funding from local,
112 state, federal, and private sources to make grants and loans
113 and otherwise enhance the development of citizen's land
114 development cooperatives. The department shall advise the
115 commission of all available sources of funding for economic
116 development that it is aware of and shall assist the
117 commission and citizen's land development cooperatives in
118 securing such funding.

119 (3) Funds received pursuant to this section shall be
120 deposited into the citizen's land development cooperative
121 fund, which is hereby created in the state treasury. The
122 state treasurer shall be custodian of the fund. In
123 accordance with sections 30.170 and 30.180, the state
124 treasurer may approve disbursements. Notwithstanding the

125 provisions of section 33.080 to the contrary, any moneys
126 remaining in the fund at the end of the biennium shall not
127 revert to the credit of the general revenue fund. The state
128 treasurer shall invest moneys in the fund in the same manner
129 as other funds are invested. Any interest and moneys earned
130 on such investments shall be credited to the fund. Moneys
131 in the fund shall be expended solely for the purposes of
132 this section.

133 7. The department shall establish rules to implement
134 the provisions of this section. Any rule or portion of a
135 rule, as that term is defined in section 536.010, that is
136 created under the authority delegated in this section shall
137 become effective only if it complies with and is subject to
138 all of the provisions of chapter 536 and, if applicable,
139 section 536.028. This section and chapter 536 are
140 nonseverable and if any of the powers vested with the
141 general assembly pursuant to chapter 536 to review, to delay
142 the effective date, or to disapprove and annul a rule are
143 subsequently held unconstitutional, then the grant of
144 rulemaking authority and any rule proposed or adopted after
145 August 28, 2022, shall be invalid and void."; and

146 Further amend the title and enacting clause accordingly.