

# SENATE BILLS NOS. 1694 & 1688

## 103RD GENERAL ASSEMBLY

7297S.03C

KRISTINA MARTIN, Secretary

### AN ACT

To repeal sections 99.918, 99.919, 99.930, 99.933, 99.936, 99.942, 99.948, 99.951, 99.954, 99.957, 99.960, 99.963, 99.965, 99.968, 99.975, and 99.980, RSMo, and to enact in lieu thereof sixteen new sections relating to incentives for downtown redevelopment.

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

Section A. Sections 99.918, 99.919, 99.930, 99.933,  
2 99.936, 99.942, 99.948, 99.951, 99.954, 99.957, 99.960, 99.963,  
3 99.965, 99.968, 99.975, and 99.980, RSMo, are repealed and  
4 sixteen new sections enacted in lieu thereof, to be known as  
5 sections 99.918, 99.919, 99.930, 99.933, 99.936, 99.942,  
6 99.948, 99.951, 99.954, 99.957, 99.960, 99.963, 99.965, 99.968,  
7 99.975, and 99.980, to read as follows:

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

4 (1) "Authority", the downtown economic stimulus  
5 authority for a municipality, created pursuant to section  
6 99.921;

7 (2) "Baseline year", the calendar year prior to the  
8 adoption of an ordinance by the municipality approving a  
9 development project **or an expanded development project, as**  
10 **applicable**; provided, however, if economic activity taxes or  
11 state sales tax revenues, from businesses other than any out-  
12 of-state business or businesses locating in the development  
13 project area **or an expanded development project, as**  
14 **applicable**, decrease in the development project area **or an**

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

15 **expanded development project, as applicable,** in the year  
16 following the year in which the ordinance approving a  
17 development project **or an expanded development project, as**  
18 **applicable,** is approved by a municipality, the baseline year  
19 may, at the option of the municipality approving the  
20 development project **or an expanded development project, as**  
21 **applicable,** be the year following the year of the adoption  
22 of the ordinance approving the development project[. When a  
23 development project area is located within a county for  
24 which public and individual assistance has been requested by  
25 the governor pursuant to Section 401 of the Robert T.  
26 Stafford Disaster Relief and Emergency Assistance Act, 42  
27 U.S.C. 5121, et seq., for an emergency proclaimed by the  
28 governor pursuant to section 44.100 due to a natural  
29 disaster of major proportions that occurred after May 1,  
30 2003, but prior to May 10, 2003, and the development project  
31 area is a central business district that sustained severe  
32 damage as a result of such natural disaster, as determined  
33 by the state emergency management agency, the baseline year  
34 may, at the option of the municipality approving the  
35 development project, be the calendar year in which the  
36 natural disaster occurred or the year following the year in  
37 which the natural disaster occurred, provided that the  
38 municipality adopts an ordinance approving the development  
39 project within one year after the occurrence of the natural  
40 disaster] **or an expanded development project, as applicable;**

41 (3) "Blighted area", the same meaning as defined  
42 pursuant to section 99.805;

43 (4) "Central business district", the area at or near  
44 the historic core that is locally known as the "downtown" of  
45 a municipality [that has a median household income of sixty-  
46 two thousand dollars or less, according to the United States

47 Census Bureau's American Community Survey, based on the most  
48 recent of five-year period estimate data in which the final  
49 year of the estimate ends in either zero or five. In  
50 addition, at least fifty percent of existing buildings in  
51 this area will have been built in excess of thirty-five  
52 years prior or vacant lots that had prior structures built  
53 in excess of thirty-five years prior to the adoption of the  
54 ordinance approving the redevelopment plan]. The historical  
55 land use emphasis of a central business district prior to  
56 redevelopment will have been a mixed use of business,  
57 commercial, financial, transportation, government, and  
58 multifamily residential uses;

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

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

79 depreciation of physical maintenance; and lack of community  
80 planning;

81 (7) "Department", the department of economic  
82 development;

83 (8) "Developer", the entity with which the  
84 municipality entered into a development agreement for the  
85 development of the development area as set forth in the  
86 municipality's application to the department for which a  
87 certificate of approval was issued under section 99.960  
88 prior to January 1, 2013, and that has or is in the process  
89 of developing the development project, or the entity's  
90 affiliate;

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

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

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

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

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

107 (e) It is contiguous, provided, however that a  
108 development area may include up to three noncontiguous areas  
109 selected for development projects, provided that each

110 noncontiguous area meets the requirements of paragraphs (a)  
111 to (g) herein;

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

114 (g) The development area shall not include any  
115 property that is located within the one hundred year flood  
116 plain, as designated by the Federal Emergency Management  
117 Agency flood delineation maps, unless such property is  
118 protected by a structure that is inspected and certified by  
119 the United States Army Corps of Engineers. This subdivision  
120 shall not apply to property within the one hundred year  
121 flood plain if the buildings on the property have been or  
122 will be flood proofed in accordance with the Federal  
123 Emergency Management Agency's standards for flood proofing  
124 and the property is located in a home rule city with more  
125 than one hundred fifty-one thousand five hundred but fewer  
126 than one hundred fifty-one thousand six hundred  
127 inhabitants. Only those buildings certified as being flood  
128 proofed in accordance with the Federal Emergency Management  
129 Agency's standards for flood proofing by the authority shall  
130 be eligible for the state sales tax increment and the state  
131 income tax increment. Subject to the limitation set forth  
132 in this subdivision, the development area can be enlarged or  
133 modified as provided in section 99.951] **as a development**  
134 **area as included in its application to the department for**  
135 **which a certificate of approval was issued under section**  
136 **99.960 prior to January 1, 2013, as may be thereafter**  
137 **modified under section 99.948 in relation to an expanded**  
138 **development area;**

139 [(8)] (10) "Development plan", the comprehensive  
140 program of a municipality [to reduce or eliminate those  
141 conditions which qualified a development area as a blighted

142 area or a conservation area, and to thereby enhance the tax  
143 bases of the taxing districts which extend into the  
144 development area through the reimbursement, payment, or  
145 other financing of development project costs in accordance  
146 with sections 99.915 to 99.980 and through the exercise of  
147 the powers set forth in sections 99.915 to 99.980. The  
148 development plan shall conform to the requirements of  
149 **section 99.942] included in its application to the**  
150 **department for which a certificate of approval was issued**  
151 **under section 99.960 prior to January 1, 2013, as may be**  
152 **thereafter modified under section 99.948 in relation to an**  
153 **expanded development plan;**

154 [(9)] (11) "Development project", any development  
155 project [within a development area which constitutes a major  
156 initiative in furtherance of the objectives of the  
157 development plan, and any such development project shall  
158 include a legal description of the area selected for such  
159 development project] **for which a certificate of approval was**  
160 **issued under section 99.960 prior to January 1, 2013, as may**  
161 **be thereafter modified under section 99.948 in relation to**  
162 **an expanded development project;**

163 [(10)] (12) "Development project area", the area  
164 located within a development area selected for a development  
165 project **for which a certificate of approval was issued under**  
166 **section 99.960 prior to January 1, 2013, as may be**  
167 **thereafter modified under section 99.948 in relation to an**  
168 **expanded development project;**

169 [(11)] (13) "Development project costs" include such  
170 costs to the development plan or a development project, as  
171 applicable, which are expended on public property,  
172 buildings, or rights-of-ways for public purposes to provide  
173 infrastructure to support a development project. Such costs

174 shall only be allowed as an initial expense which, to be  
175 recoverable, must be included in the costs of a development  
176 plan or development project, except in circumstances of plan  
177 amendments approved by [the Missouri development finance  
178 board and] the department [of economic development]. Such  
179 infrastructure costs include, but are not limited to, the  
180 following:

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

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

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

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

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

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

201 (g) All or a portion of a taxing district's capital  
202 costs resulting from any development project necessarily  
203 incurred or to be incurred in furtherance of the objectives  
204 of the development plan, to the extent the municipality by

205 written agreement accepts and approves such infrastructure  
206 costs;

207 (h) Payments to taxing districts on a pro rata basis  
208 to partially reimburse taxes diverted by approval of a  
209 development project;

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

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

224 [(12)] (14) "Economic activity taxes", the total  
225 additional revenue from taxes which are imposed by the  
226 municipality and other taxing districts, and which are  
227 generated by economic activities within each development  
228 project area **or expanded development project area, as**  
229 **applicable**, which are not related to the relocation of any  
230 out-of-state business into the development project area **or**  
231 **expanded development project area, as applicable**, which  
232 exceed the amount of such taxes generated by economic  
233 activities within such development project area **or expanded**  
234 **development project area, as applicable**, in the baseline  
235 year plus, in development project areas where the baseline  
236 year is the year following the year in which the development

237 project **or expanded development project, as applicable**, is  
238 approved by the municipality pursuant to subdivision (2) of  
239 this section, the total revenue from taxes which are imposed  
240 by the municipality and other taxing districts which is  
241 generated by economic activities within the development  
242 project area resulting from the relocation of an out-of-  
243 state business or out-of-state businesses to the development  
244 project area **or expanded development project area, as**  
245 **applicable**, pursuant to section 99.919; but excluding  
246 personal property taxes, taxes imposed on sales or charges  
247 for sleeping rooms paid by transient guests of hotels and  
248 motels, licenses, fees, or special assessments. If a  
249 **business or** retail establishment relocates within one year  
250 from one facility to another facility within the same county  
251 and the municipality or authority finds that the **business or**  
252 retail establishment is a direct beneficiary of development  
253 financing, then for purposes of this definition, the  
254 economic activity taxes generated by the **business or** retail  
255 establishment shall equal the total additional revenues from  
256 taxes which are imposed by the municipality and other taxing  
257 districts which are generated by the economic activities  
258 within the development project area **or expanded development**  
259 **project area, as applicable**, which exceed the amount of  
260 taxes which are imposed by the municipality and other taxing  
261 districts which are generated by economic activities within  
262 the development project area **or expanded development project**  
263 **area, as applicable**, generated by the **business or** retail  
264 establishment in the baseline year;

265 (15) "Expanded development area", an area designated  
266 by a municipality in respect to which the municipality has  
267 made a finding that there exist conditions which cause the

268 area to be classified as a blighted area or a conservation  
269 area, which area shall have the following characteristics:

270 (a) It includes only those parcels of real property  
271 directly and substantially benefited by the proposed  
272 expanded development plan;

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

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

276 (d) It furthers the development of the major  
277 initiative or has structures in the area fifty percent or  
278 more of which have an age of thirty-five years or more;

279 (e) It is contiguous, provided, however that an  
280 expanded development area may include up to three  
281 noncontiguous areas selected for expanded development  
282 projects, provided that each noncontiguous area meets the  
283 requirements of paragraphs (a) to (d) of this subdivision;

284 (f) The expanded development area, together with the  
285 development area, shall not exceed ten percent of the entire  
286 area of the municipality; and

287 (g) The expanded development area shall not include  
288 any property that is located within the one-hundred-year  
289 flood plain, as designated by the Federal Emergency  
290 Management Agency flood delineation maps, unless such  
291 property is protected by a structure that is inspected and  
292 certified by the U.S. Army Corps of Engineers;

293 (16) "Expanded development plan", the comprehensive  
294 program of a municipality to reduce or eliminate those  
295 conditions that qualify an expanded development area as a  
296 blighted area or a conservation area, and to thereby enhance  
297 the tax bases of the taxing districts which extend into the  
298 expanded development area through the reimbursement,  
299 payment, or other financing of expanded development project

300 costs in accordance with sections 99.915 to 99.980 and  
301 through the exercise of the powers set forth in sections  
302 99.915 to 99.980. The expanded development plan shall  
303 conform to the requirements of section 99.942;

304 (17) "Expanded development project", any development  
305 project within an expanded development area and is in  
306 furtherance of the objectives of the expanded development  
307 plan, and any such expanded development project shall  
308 include a legal description of the area selected for such  
309 expanded development project;

310 (18) "Expanded development project area", the area  
311 located within an expanded development area selected for an  
312 expanded development project;

313 (19) "Expanded development project costs", costs to an  
314 expanded development plan or expanded development project as  
315 set forth in a certificate of approval from the department  
316 that are expended on or used to reimburse base building  
317 costs of an expanded development project including site  
318 preparation; foundation; structural; utility relocation and  
319 off-site utility; environmental mitigation and remediation;  
320 stormwater management; mechanical, engineering, and  
321 plumbing; landscaping and hardscaping; lighting; and  
322 temporary structural support or stabilization costs; and any  
323 costs allowable under the definition of development project  
324 costs in this section. Economic activity taxes, payment in  
325 lieu of taxes, and municipal residential earnings tax  
326 increment may be expended on or used to reimburse any  
327 reasonable or necessary costs incurred or estimated to be  
328 incurred in furtherance of an expanded development plan or  
329 expanded development project. Notwithstanding any provision  
330 of law to the contrary, expanded development project costs  
331 may include the payment of obligations issued to finance

332 development project costs associated with the major  
 333 initiative. "Expanded development project costs" shall not  
 334 include costs expended on the interior improvements of an  
 335 expanded development project;

336 [(13)] (20) "Gambling establishment", an excursion  
 337 gambling boat as defined in section 313.800 and any related  
 338 business facility including any real property improvements  
 339 which are directly and solely related to such business  
 340 facility, whose sole purpose is to provide goods or services  
 341 to an excursion gambling boat and whose majority ownership  
 342 interest is held by a person licensed to conduct gambling  
 343 games on an excursion gambling boat or licensed to operate  
 344 an excursion gambling boat as provided in sections 313.800  
 345 to 313.850;

346 [(14)] (21) "Major initiative", a development project  
 347 within a central business district [that:

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

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

359	Population of	Estimated Project	New Jobs Created
360	Municipality	Cost	
361	300,000 or more	\$10,000,000	at least 100

362	100,000 to	\$5,000,000	at least 50
363	299,999		
364	50,001 to 99,999	\$1,000,000	at least 10
365			
366	50,000 or less	\$500,000	at least 5;

367        [(15)] for which a certificate of approval was issued  
 368 under section 99.960 prior to January 1, 2013;

369        (22) "Municipal residential earnings tax increment",  
 370 those revenues from the municipal earnings tax for salaries  
 371 or wages paid to natural persons residing in a primarily  
 372 residential building, regardless of the inclusion of mixed  
 373 uses within a portion of the building, in an expanded  
 374 development project area that did not reside in the expanded  
 375 development project area in the baseline year. The  
 376 municipality may calculate the municipal residential  
 377 earnings tax increment in a manner consistent with the  
 378 state's calculation of state residential income tax  
 379 increment, except the maximum marginal tax rate in effect  
 380 shall be pursuant to the earnings tax rate approved by  
 381 voters under sections 92.111 to 92.200;

382        (23) "Municipality", any city, village, incorporated  
 383 town, or any county of this state established on or prior to  
 384 January 1, 2001, or a census-designated place in any county  
 385 designated by the county for purposes of sections 99.915 to  
 386 99.1060 to which a certificate of approval was issued under  
 387 section 99.960 prior to January 1, 2013;

388        [(16)] (24) "New job", any job defined as a new job  
 389 pursuant to subdivision (11) of section 100.710;

390        [(17)] (25) "Obligations", bonds, loans, debentures,  
 391 notes, special certificates, or other evidences of

392 indebtedness issued by the municipality or authority, or  
393 other public entity authorized to issue such obligations  
394 pursuant to sections 99.915 to 99.980 to carry out a  
395 development project **or expanded development project, as**  
396 **applicable**, or to refund outstanding obligations;

397 [(18)] (26) "Ordinance", an ordinance enacted by the  
398 governing body of any municipality or an order of the  
399 governing body of such a municipal entity whose governing  
400 body is not authorized to enact ordinances;

401 [(19)] (27) "Other net new revenues", the amount of  
402 state sales tax increment or state income tax increment or  
403 the combination of the amount of each such increment as  
404 determined under section 99.960. **For expanded development**  
405 **project areas, "other net new revenues" also includes the**  
406 **amount of state residential income tax increment as**  
407 **determined under section 99.960;**

408 [(20)] (28) "Out-of-state business", a business entity  
409 or operation that has been located outside of the state of  
410 Missouri prior to the time it relocates to a development  
411 project area **or expanded development project area, as**  
412 **applicable;**

413 [(21)] (29) "Payment in lieu of taxes", those revenues  
414 from real property in each development project area **or**  
415 **expanded development project area, as applicable**, which  
416 taxing districts would have received had the municipality  
417 not adopted a development plan **or expanded development plan,**  
418 **as applicable**, and the municipality not adopted development  
419 financing, and which would result from levies made after the  
420 time of the adoption of development financing during the  
421 time the current equalized value of real property in such  
422 development project area **or expanded development project**  
423 **area, as applicable**, exceeds the total equalized value of

424 real property in such development project area **or expanded**  
425 **development project area, as applicable**, during the baseline  
426 year until development financing for such development  
427 project area **or expanded development project area, as**  
428 **applicable**, expires or is terminated pursuant to sections  
429 99.915 to 99.980;

430 (30) "Retained job", an existing job in the state if  
431 the department determines that the existing job could be  
432 relocated to another state in the absence of the expanded  
433 development project authorized under sections 99.915 to  
434 99.980;

435 [(22)] (31) "Special allocation fund", the fund of the  
436 municipality or its authority required to be established  
437 pursuant to section 99.957 which special allocation fund  
438 shall contain at least four separate segregated accounts  
439 into which payments in lieu of taxes are deposited in one  
440 account, economic activity taxes are deposited in a second  
441 account, other net new revenues are deposited in a third  
442 account, and other revenues, if any, received by the  
443 authority or the municipality for the purpose of  
444 implementing a development plan or a development project **or**  
445 **expanded development plan or an expanded development**  
446 **project, as applicable**, are deposited in a fourth account;

447 [(23)] (32) "State income tax increment", up to fifty  
448 percent of the estimate of the income tax due the state for  
449 salaries or wages paid to new employees in new jobs at a  
450 business located in the development project area and created  
451 by the development project **or in an expanded development**  
452 **project area and created by the expanded development**  
453 **project, as applicable, and for an expanded development**  
454 **project, up to fifty percent of the estimate of the income**  
455 **tax due the state for salaries or wages paid to employees in**

456 retained jobs at a business located in the expanded  
457 development project area and created by the expanded  
458 development project. In the case of an expanded development  
459 project wherein the department director has determined,  
460 through the cost-benefit analysis and other analysis as  
461 determined by the department, that the projected state  
462 benefit is substantial and that the project is unlikely to  
463 occur without a higher percentage of state contribution, the  
464 increment percentage for the expanded development project  
465 may, at the department's discretion, be increased up to  
466 seventy percent of the income tax due the state for salaries  
467 or wages paid to new employees in new jobs and employees in  
468 retained jobs at a business located in the expanded  
469 development project area and created by the expanded  
470 development project. The estimate shall be a percentage of  
471 the gross payroll which percentage shall be based upon an  
472 analysis by the department of revenue of the practical tax  
473 rate on gross payroll as a factor in overall taxable  
474 income. The department may provide in a certificate of  
475 approval for an expanded development project under section  
476 99.960 that it will calculate and disburse state income tax  
477 increment based upon the highest marginal personal income  
478 tax rate in effect under section 143.011 at the time the  
479 certificate is issued even in the event the state personal  
480 income tax rate is subsequently reduced, or the tax is  
481 eliminated;

482 (33) "State residential income tax increment", up to  
483 seventy percent of the estimate of the income tax due the  
484 state for salaries or wages paid to natural persons residing  
485 in a primarily residential building, regardless of the  
486 inclusion of mixed uses within a portion of the building, in  
487 an expanded development project area that did not reside in

488 the expanded development project area in the baseline year.  
489 Annually, after the opening of the residential component of  
490 the expanded development project, the developer shall  
491 provide the department and the municipality with certified  
492 incomes of natural persons residing in leased or occupied  
493 residential units. The increment shall be the product of  
494 the total certified incomes for all residential units leased  
495 to or occupied by natural persons times the maximum marginal  
496 tax rate in effect under section 143.011. The department  
497 may provide in a certificate of approval for an expanded  
498 development project under section 99.960 that the department  
499 shall calculate and disburse state residential income tax  
500 increment based upon the highest marginal personal income  
501 tax rate in effect under section 143.011 at the time the  
502 certificate is issued in the event the state personal income  
503 tax rate is subsequently reduced, or the tax is eliminated.  
504 The developer shall allow the department to audit records of  
505 certified incomes of natural persons residing in leased or  
506 occupied residential units;

507 [(24)] (34) "State sales tax increment", up to [one-  
508 half] **fifty percent** of the incremental increase in the state  
509 sales tax revenue in the development project area **or**  
510 **expanded development project area, as applicable.** [In no  
511 event shall the incremental increase include any amounts  
512 attributable to retail sales unless the Missouri development  
513 finance board and the department of economic development are  
514 satisfied based on information provided by the municipality  
515 or authority, and such entities have made a finding that a  
516 substantial portion of all but a de minimus portion of the  
517 sales tax increment attributable to retail sales is from new  
518 sources which did not exist in the state during the baseline  
519 year.] **In the case of an expanded development project**

520 **wherein the department director has determined, through the**  
521 **cost-benefit analysis and other analysis as determined by**  
522 **the department, that the projected state benefit is**  
523 **substantial and that the project is unlikely to occur**  
524 **without a higher percentage of state contribution, the**  
525 **increment percentage for the expanded development project**  
526 **may, at the department's discretion, be increased up to**  
527 **seventy percent of the incremental increase in the state**  
528 **sales tax revenue in the expanded development project area.**  
529 The incremental increase for an existing facility shall be  
530 the amount by which the state sales tax revenue generated at  
531 the facility exceeds the state sales tax revenue generated  
532 at the facility in the baseline year. The incremental  
533 increase in development project areas **or expanded**  
534 **development project areas, as applicable,** where the baseline  
535 year is the year following the year in which the development  
536 project **or expanded development project areas, as**  
537 **applicable,** is approved by the municipality pursuant to  
538 subdivision (2) of this section shall be the state sales tax  
539 revenue generated by out-of-state businesses relocating into  
540 a development project area **or expanded development project**  
541 **areas, as applicable.** The incremental increase for a  
542 Missouri facility which relocates to a development project  
543 area **or expanded development project areas, as applicable,**  
544 shall be the amount by which the state sales tax revenue of  
545 the facility exceeds the state sales tax revenue for the  
546 facility in the calendar year prior to relocation. **If the**  
547 **department elects to issue a certificate of approval for an**  
548 **expanded development project that applies the highest**  
549 **marginal personal income tax rate for the state income tax**  
550 **increment and state residential income tax increment**  
551 **regardless of whether the rate may thereafter be reduced or**

552 the tax eliminated, the department may fix the state sales  
553 tax rate upon which the state sales tax increment is  
554 calculated at the rate in effect at the time the certificate  
555 of approval is issued, even if the state sales tax rate is  
556 increased thereafter;

557 [(25)] (35) "State sales tax revenues", the general  
558 revenue portion of state sales tax revenues received  
559 pursuant to section 144.020, excluding sales taxes that are  
560 constitutionally dedicated, taxes deposited to the school  
561 district trust fund in accordance with section 144.701,  
562 sales and use taxes on motor vehicles, trailers, boats and  
563 outboard motors and future sales taxes earmarked by law;

564 [(26)] (36) "Taxing district's capital costs", those  
565 costs of taxing districts for capital improvements that are  
566 found by the municipal governing bodies to be necessary and  
567 to directly result from a development project **or expanded**  
568 **development project, as applicable;** and

569 [(27)] (37) "Taxing districts", any political  
570 subdivision of this state having the power to levy taxes.

99.919. Notwithstanding anything contained in sections  
2 99.915 to 99.980 to the contrary, for development projects  
3 **or expanded development projects, as applicable,** that result  
4 in the relocation of an out-of-state business or out-of-  
5 state businesses to the development project area **or expanded**  
6 **development project area, as applicable,** the portion of  
7 economic activity taxes, the state income tax increment, the  
8 state sales tax increment and other net new revenues  
9 generated by such out-of-state business or businesses shall  
10 be calculated based upon the full amount of tax revenue  
11 generated by such out-of-state business or out-of-state  
12 businesses without reduction due to revenues generated in  
13 the baseline year.

99.930. 1. In any suit, action, or proceeding  
2 involving the validity or enforcement of or relating to any  
3 contract of an authority entered into pursuant to sections  
4 99.915 to 99.980, such authority shall be conclusively  
5 deemed to have become established and authorized to transact  
6 business and exercise its powers under sections 99.915 to  
7 99.980 upon proof of the adoption of the appropriate  
8 ordinance prescribed in section 99.921. Each such ordinance  
9 shall be deemed sufficient if it authorizes the exercise of  
10 powers under sections 99.915 to 99.980 by the authority and  
11 sets forth the findings of the municipality as required in  
12 subdivision (2) of section 99.921.

13 2. A copy of such ordinance duly certified by the  
14 clerk of the municipality shall be admissible in evidence in  
15 any suit, action, or proceeding.

16 3. No lawsuit to set aside the creation of an  
17 authority, the approval of a development plan, development  
18 project, development area or development project area, **or**  
19 **the approval of an expanded development plan, expanded**  
20 **development project, expanded development area, or expanded**  
21 **development project area, as applicable,** or a tax levied  
22 pursuant to sections 99.915 to 99.980, or to otherwise  
23 question the validity of the proceedings related thereto,  
24 shall be brought after the expiration of **[ninety] thirty**  
25 days from the effective date of the ordinance or resolution  
26 in question.

99.933. 1. The authority created pursuant to section  
2 99.921 shall constitute a public body corporate and politic,  
3 exercising public and essential governmental functions.

4 2. A municipality or an authority created pursuant to  
5 section 99.921 shall have all the powers necessary or  
6 convenient to carry out and effectuate the purposes and

7 provisions of sections 99.915 to 99.980, including the  
8 following powers in addition to others granted pursuant to  
9 sections 99.915 to 99.980:

10 (1) To prepare or cause to be prepared and approved  
11 development plans and development projects to be considered  
12 at public hearings in accordance with sections 99.915 to  
13 99.980 and to undertake and carry out development plans and  
14 development projects which have been adopted by ordinance;

15 (2) **To prepare or cause to be prepared and approved**  
16 **expanded development plans and expanded development projects**  
17 **to be considered in accordance with sections 99.915 to**  
18 **99.980 and to undertake and carry out expanded development**  
19 **plans and expanded development projects which have been**  
20 **adopted by ordinance;**

21 (3) To arrange or contract for the furnishing or  
22 repair, by any person or agency, public or private, of  
23 services, privileges, streets, roads, public utilities, or  
24 other facilities for or in connection with any development  
25 project **or expanded development project, as applicable;** and  
26 notwithstanding anything to the contrary contained in  
27 sections 99.915 to 99.980 or any other provision of law, to  
28 agree to any conditions that it may deem reasonable and  
29 appropriate attached to federal financial assistance and  
30 imposed pursuant to federal law relating to the  
31 determination of prevailing salaries or wages or compliance  
32 with labor standards, in the undertaking or carrying out of  
33 any development project **or expanded development project, as**  
34 **applicable,** and to include in any contract let in connection  
35 with any such development project **or expanded development**  
36 **project, as applicable,** provisions to fulfill such of the  
37 conditions as it may deem reasonable and appropriate;

38            [(3)] (4) Within a development area **or expanded**  
39 **development area, as applicable**, to acquire by purchase,  
40 lease, gift, grant, bequest, devise, obtain options upon, or  
41 otherwise acquire any real or personal property or any  
42 interest therein, necessary or incidental to a development  
43 project **or expanded development project, as applicable**, all  
44 in the manner and at such price as the municipality or  
45 authority determines is reasonably necessary to achieve the  
46 objectives of a development plan **or expanded development**  
47 **plan, as applicable**;

48            [(4)] (5) Within a development area **or expanded**  
49 **development area, as applicable**, subject to provisions of  
50 section 99.936 with regard to the disposition of real  
51 property, to sell, lease, exchange, transfer, assign,  
52 subdivide, retain for its own use, mortgage, pledge,  
53 hypothecate, or otherwise encumber or dispose of any real or  
54 personal property or any interest therein, all in the manner  
55 and at such price and subject to any covenants,  
56 restrictions, and conditions as the municipality or  
57 authority determines is reasonably necessary to achieve the  
58 objectives of a development plan **or expanded development**  
59 **plan, as applicable**; to make any such covenants,  
60 restrictions, or conditions as covenants running with the  
61 land, and to provide appropriate remedies for any breach of  
62 any such covenants, restrictions, or conditions, including  
63 the right in the municipality or authority to terminate such  
64 contracts and any interest in the property created pursuant  
65 thereto;

66            [(5)] (6) Within a development area **or expanded**  
67 **development area, as applicable**, to clear any area by  
68 demolition or removal of existing buildings and structures;

69            [(6)] (7) To install, repair, construct, reconstruct,  
70 or relocate streets, utilities, and site improvements as  
71 necessary or desirable for the preparation of a development  
72 area **or expanded development area, as applicable**, for use in  
73 accordance with a development plan **or expanded development**  
74 **plan, as applicable**;

75            [(7)] (8) Within a development area **or expanded**  
76 **development area, as applicable**, to fix, charge, and collect  
77 fees, rents, and other charges for the use of any real or  
78 personal property, or any portion thereof, in which the  
79 municipality or authority has any interest;

80            [(8)] (9) To accept grants, guarantees, and donations  
81 of property, labor, or other things of value from any public  
82 or private source for purposes of implementing a development  
83 plan **or expanded development plan, as applicable**;

84            [(9)] (10) In accordance with section 99.936, to  
85 select one or more developers to implement a development  
86 plan **or expanded development plan, as applicable**, or one or  
87 more development projects **or expanded development projects,**  
88 **as applicable**, or any portion thereof;

89            [(10)] (11) To charge as a development project cost **or**  
90 **expanded development project cost, as applicable**, the  
91 reasonable costs incurred by the municipality or authority,  
92 the department [of economic development, the Missouri  
93 development finance board,] or the department of revenue in  
94 evaluating, administering, or implementing the development  
95 plan or any development project **or the expanded development**  
96 **plan or any expanded development project, as applicable**;

97            [(11)] (12) To borrow money and issue obligations in  
98 accordance with sections 99.915 to 99.980 and provide  
99 security for any such loans or obligations;

100            [(12)] (13) To insure or provide for the insurance of  
101 any real or personal property or operations of the  
102 municipality or authority against any risks or hazards,  
103 including the power to pay premiums on any such insurance;  
104 and to enter into any contracts necessary to effectuate the  
105 purposes of sections 99.915 to 99.980;

106            [(13)] (14) Within a development area **or an expanded**  
107 **development area, as applicable**, to renovate, rehabilitate,  
108 own, operate, construct, repair, or improve any  
109 improvements, buildings, parking garages, fixtures,  
110 structures, and other facilities;

111            [(14)] (15) To invest any funds held in reserves or  
112 sinking funds, or any funds not required for immediate  
113 disbursement, in property or securities in which savings  
114 banks may legally invest funds subject to their control; to  
115 redeem obligations at the redemption price established  
116 therein or to purchase obligations at less than redemption  
117 price, all obligations so redeemed or purchased to be  
118 cancelled;

119            [(15)] (16) To borrow money and to apply for and  
120 accept advances, loans, grants, contributions, and any other  
121 form of financial assistance from the federal government,  
122 the state, county, municipality, or other public body or  
123 from any sources, public or private, for the purposes of  
124 implementing a development plan **or expanded development**  
125 **plan, as applicable**, to give such security as may be  
126 required and to enter into and carry out contracts in  
127 connection therewith. A municipality or authority,  
128 notwithstanding the provisions of any other law, may include  
129 in any contract for financial assistance with the federal  
130 government for a project such conditions imposed pursuant to  
131 federal law as the municipality or authority may deem

132 reasonable and appropriate and which are not inconsistent  
133 with the purposes of sections 99.915 to 99.980;

134 [(16)] (17) To incur development project costs and  
135 **expanded development project costs, as applicable, and** make  
136 such expenditures as may be necessary to carry out the  
137 purposes of sections 99.915 to 99.980; and to make  
138 expenditures from funds obtained from the federal government  
139 without regard to any other laws pertaining to the making  
140 and approval of appropriations and expenditures;

141 [(17)] (18) To loan the proceeds of obligations issued  
142 pursuant to sections 99.915 to 99.980 for the purpose of  
143 providing for the purchase, construction, extension, or  
144 improvement of public infrastructure related to a  
145 development project **or expanded development project, as**  
146 **applicable**, by a developer pursuant to a development  
147 contract approved by the municipality or authority in  
148 accordance with subdivision (2) of section 99.936;

149 [(18)] (19) To declare any funds, or any portion  
150 thereof, in the special allocation fund to be excess funds,  
151 so long as such excess funds have not been pledged to the  
152 payment of outstanding obligations, [or] outstanding  
153 development project costs **or outstanding expanded**  
154 **development project costs, as applicable**, are not necessary  
155 for the payment of development project costs, **or expanded**  
156 **development project costs, as applicable**, incurred or  
157 anticipated to be incurred, and are not required to pay  
158 baseline state sales taxes and baseline state withholding  
159 taxes to the director of revenue. Any such funds deemed to  
160 be excess shall be disbursed in the manner of surplus funds  
161 as provided in section 99.965;

162 [(19)] (20) To pledge or otherwise expend funds  
163 deposited to the special allocation fund, or any portion

164 thereof, for the payment or reimbursement of development  
165 project costs **or expanded development project costs, as**  
166 **applicable**, incurred by the authority, the municipality, a  
167 developer selected by the municipality or authority, or any  
168 other entity with the consent of the municipality or  
169 authority; to pledge or otherwise expend funds deposited to  
170 the special allocation fund, or any portion thereof, or to  
171 mortgage or otherwise encumber its property, or any portion  
172 thereof, for the payment of obligations issued to finance  
173 development project costs **or expanded development project**  
174 **costs, as applicable**; provided, however, any such pledge or  
175 expenditure of economic activity taxes or other net new  
176 revenues shall be subject to annual appropriation by the  
177 municipality; and

178 [(20)] (21) To exercise all powers or parts or  
179 combinations of powers necessary, convenient, or appropriate  
180 to undertake and carry out development plans and any  
181 development projects **or expanded development plans and any**  
182 **expanded development projects, as applicable**, and all the  
183 powers granted pursuant to sections 99.915 to 99.980,  
184 excluding powers of eminent domain.

185 3. If any member of the governing body of the  
186 municipality, a commissioner of the authority, or an  
187 employee or consultant of the municipality or authority,  
188 involved in the planning and preparation of a development  
189 project **or expanded development project, as applicable**, owns  
190 or controls an interest, direct or indirect, in any property  
191 included in a development project area **or expanded**  
192 **development project area, as applicable**, the individual  
193 shall disclose the same in writing to the clerk of the  
194 municipality, and shall also so disclose the dates, terms,  
195 and conditions of any disposition of any such interest,

196 which disclosures shall be acknowledged by the governing  
197 body of the municipality and entered upon the minutes books  
198 of the governing body of the municipality. If an individual  
199 holds such an interest, then that individual shall refrain  
200 from any further official involvement in regard to a  
201 development project **or expanded development project, as**  
202 **applicable**, and from voting on any matter pertaining to such  
203 development project **or expanded development project, as**  
204 **applicable**, or communicating with other commissioners or  
205 members of the authority or the municipality concerning any  
206 matter pertaining to such development project **or expanded**  
207 **development project, as applicable**. Furthermore, subject to  
208 the succeeding sentence, no such member, commissioner,  
209 employee, or consultant shall acquire any interest, direct  
210 or indirect, in any property in a development project area  
211 or proposed development project area **or expanded development**  
212 **project area or proposed expanded development project area,**  
213 **as applicable**, after either such individual obtains  
214 knowledge of a development project **or expanded development**  
215 **project, as applicable**, or first public notice of such  
216 development project **or expanded development project, as**  
217 **applicable**, or development project area **or expanded**  
218 **development project, as applicable**, pursuant to [subsection  
219 2 of] section 99.951, whichever first occurs. At any time  
220 after one year from the adoption of an ordinance designating  
221 a development project area, **or expanded development project**  
222 **area, as applicable**, any commissioner may acquire an  
223 interest in real estate located in a development project  
224 area **or expanded development project area, as applicable**, so  
225 long as any such commissioner discloses such acquisition and  
226 refrains from voting on any matter related to the  
227 development project area **or expanded development project**

228 **area, as applicable,** in which the property acquired by such  
229 commissioner is located.

230 4. An authority created pursuant to section 99.921  
231 shall have the following powers in addition to others  
232 granted pursuant to sections 99.915 to 99.980:

233 (1) To sue and to be sued; to have a seal and to alter  
234 the same at the authority's pleasure; to have perpetual  
235 succession; to make and execute contracts and other  
236 instruments necessary or convenient to the exercise of the  
237 powers of the authority; and to make and from time to time  
238 amend and repeal bylaws, rules, and regulations, not  
239 inconsistent with sections 99.915 to 99.980, to carry out  
240 the provisions of sections 99.915 to 99.980;

241 (2) To delegate to a municipality or other public body  
242 any of the powers or functions of the authority with respect  
243 to the planning or undertaking of a development project **or**  
244 **expanded development project,** and any such municipality or  
245 public body is hereby authorized to carry out or perform  
246 such powers or functions for the authority;

247 (3) To receive and exercise powers delegated by any  
248 authority, agency, or agent of a municipality created  
249 pursuant to this chapter or chapter 353, excluding powers of  
250 eminent domain.

251 [5. Any home rule city with more than four hundred  
252 thousand inhabitants and located in more than one county,  
253 any city not within a county, and any county with a charter  
254 form of government and with more than one million  
255 inhabitants shall approve a disadvantaged business  
256 enterprise program to be implemented by the downtown  
257 economic stimulus authority. The program shall require all  
258 businesses, vendors, and contractors working on projects  
259 undertaken by the authority to ensure enforcement of an

260 equal opportunity employment plan and a minority and women-  
261 owned business program that is based on population and  
262 availability that contains specific worker ethnicity goals  
263 for each such business, vendor, and contractor, in  
264 accordance with applicable state and federal laws, rules,  
265 regulations, and orders.]

99.936. Real property which is acquired by a  
2 municipality or authority in a development project area **or**  
3 **expanded development project area** may be disposed of as  
4 follows:

5 (1) Within a development project area **or expanded**  
6 **development project area, as applicable**, the authority may  
7 sell, lease, exchange, or otherwise transfer real property,  
8 including land, improvements, and fixtures, or any interest  
9 therein, to any developer selected for a development  
10 project, or any portion thereof, in accordance with the  
11 development plan **or to a developer of an expanded**  
12 **development project, in accordance with the expanded**  
13 **development plan, as applicable**, subject to such covenants,  
14 conditions, and restrictions as may be deemed to be in the  
15 public interest or to carry out the purposes of sections  
16 99.915 to 99.980. Such real property shall be sold, leased,  
17 or transferred at its fair market value for uses in  
18 accordance with the development plan **or expanded development**  
19 **plan, as applicable**; provided that such fair market value  
20 may be less than the cost of such property to the  
21 municipality or authority. In determining the fair market  
22 value of real property for uses in accordance with a  
23 development plan **or expanded development plan, as**  
24 **applicable**, the municipality or authority shall take into  
25 account and give consideration to the uses and purposes  
26 required by the development plan **or expanded development**

27 **plan, as applicable;** the restrictions upon, and the  
28 covenants, conditions, and obligations assumed by the  
29 developer of such property; the objectives of the  
30 development plan **or expanded development plan, as**  
31 **applicable;** and such other matters as the municipality or  
32 authority shall specify as being appropriate. In fixing  
33 rental and sale prices, a municipality or authority shall  
34 give consideration to appraisals of the property for such  
35 uses made by experts employed by the municipality or  
36 authority;

37 (2) (a) The municipality or authority shall, by  
38 public notice published in a newspaper having a general  
39 circulation in a development area, prior to selecting one or  
40 more developers for any development project, or any portion  
41 thereof, invite proposals from, and make available all  
42 pertinent information to, private developers or any persons  
43 interested in undertaking the development of such  
44 development project, or any portion thereof. Such notice  
45 shall be published at least once each week during the two  
46 weeks preceding the selection of a developer, shall identify  
47 the area of the development project or development projects,  
48 or any portion thereof, for which one or more developers are  
49 to be selected, and shall state that such further  
50 information as it is available may be obtained at the office  
51 of the municipality or authority. The municipality or  
52 authority shall consider all proposals and the financial and  
53 legal ability of the prospective developers to carry out  
54 their proposals. The municipality or authority may  
55 negotiate and enter into one or more contracts with any  
56 developer selected for the development of any such area for  
57 the development of such area by such developer in accordance  
58 with a development plan or for the sale or lease of any real

59 property to any such developer in any such area for the  
60 purpose of developing such property in accordance with the  
61 development plan. The municipality or authority may enter  
62 into any such contract as it deems to be in the public  
63 interest and in furtherance of the purposes of sections  
64 99.915 to 99.980; provided that the municipality or  
65 authority has, not less than ten days prior thereto,  
66 notified the governing body in writing of its intention to  
67 enter into such contract. Thereafter, the municipality or  
68 authority may execute such contract in accordance with the  
69 provisions of subdivision (1) of this section and deliver  
70 deeds, leases, and other instruments and take all steps  
71 necessary to effectuate such contract. In its discretion,  
72 the municipality or authority may, in accordance with the  
73 provisions of this subdivision, dispose of any real property  
74 in an area selected for a development project, or any  
75 portion thereof, to private developers for development under  
76 such reasonable competitive bidding procedures as it shall  
77 prescribe, subject to the provisions of subdivision (1) of  
78 this section[;].

79 **(b) The municipality or authority may negotiate and**  
80 **enter into one or more contracts with a developer for the**  
81 **development of an expanded development area or expanded**  
82 **development project area in accordance with an expanded**  
83 **development plan or for the sale or lease of any real**  
84 **property to any such developer in any such area for the**  
85 **purpose of developing such property in accordance with the**  
86 **expanded development plan. The municipality or authority**  
87 **may enter into any such contract as it deems to be in the**  
88 **public interest and in furtherance of the purposes of**  
89 **sections 99.915 to 99.980; provided that the municipality or**  
90 **authority has, not less than ten days prior thereto,**

91 notified the governing body in writing of its intention to  
92 enter into such contract. Thereafter, the municipality or  
93 authority may execute such contract in accordance with the  
94 provisions of subdivision (1) of this section and deliver  
95 deeds, leases, and other instruments and take all steps  
96 necessary to effectuate such contract. In its discretion,  
97 the municipality or authority may, in accordance with the  
98 provisions of this subdivision, dispose of any real property  
99 in an area selected for an expanded development project, or  
100 any portion thereof, to a developer for an expanded  
101 development project.

102 (3) In carrying out a development project **or expanded**  
103 **development project, as applicable**, the authority may:

104 (a) Convey to the municipality such real property as,  
105 in accordance with the development plan **or expanded**  
106 **development plan, as applicable**, is to be dedicated as  
107 public right-of-way for streets, sidewalks, alleys, or other  
108 public ways, this power being additional to and not limiting  
109 any and all other powers of conveyance of property to  
110 municipalities expressed, generally or otherwise, in  
111 sections 99.915 to 99.980;

112 (b) Grant servitudes, easements, and rights-of-way for  
113 public utilities, sewers, streets, and other similar  
114 facilities, in accordance with the development plan **or**  
115 **expanded development plan, as applicable**; and

116 (c) Convey to the municipality or other appropriate  
117 public body such real property as, in accordance with the  
118 development plan **or expanded development plan, as**  
119 **applicable**, is to be used for parks, schools, public  
120 buildings, facilities, or other public purposes;

121 (4) The municipality or authority may operate and  
122 maintain real property in the development area **or expanded**

123 **development area, as applicable,** pending the disposition or  
124 development of the property in accordance with a development  
125 plan **or expanded development plan, as applicable,** without  
126 regard to the provisions of subdivisions (1) and (2) of this  
127 section, for such uses and purposes as may be deemed  
128 desirable even though not in conformity with the development  
129 plan **or expanded development plan, as applicable.**

99.942. 1. A development plan **or expanded development**  
2 **plan, as applicable,** shall set forth in writing a general  
3 description of the program to be undertaken to accomplish  
4 the development projects **or expanded development projects,**  
5 **as applicable,** and related objectives and shall include, but  
6 need not be limited to:

7 (1) The name, street and mailing address, and phone  
8 number of the mayor or chief executive officer of the  
9 municipality;

10 (2) The street address of the development site **or**  
11 **expanded development site, as applicable;**

12 (3) The three-digit North American Industry  
13 Classification System number or numbers characterizing the  
14 development project **or expanded development project, as**  
15 **applicable;**

16 (4) The estimated development project costs **or**  
17 **expanded development project costs, as applicable;**

18 (5) The anticipated sources of funds to pay such  
19 development project costs **or expanded development projects**  
20 **costs, as applicable;**

21 (6) Evidence of the commitments to finance such  
22 development project costs **or expanded development project**  
23 **costs, as applicable;**

24 (7) The anticipated type and term of the sources of  
25 funds to pay such development project costs **or expanded**  
26 **development project costs, as applicable;**

27 (8) The anticipated type and terms of the obligations  
28 to be issued;

29 (9) The most recent equalized assessed valuation of  
30 the property within the development project area **or expanded**  
31 **development project area, as applicable;**

32 (10) An estimate as to the equalized assessed  
33 valuation after the development project area **or expanded**  
34 **development project area, as applicable,** is developed in  
35 accordance with a development plan **or expanded development**  
36 **plan, respectively;**

37 (11) The general land uses to apply in the development  
38 area **or expanded development area, as applicable;**

39 (12) The total number of individuals employed in the  
40 development area **or expanded development area, as**  
41 **applicable,** categorized by full-time, part-time, and  
42 temporary positions;

43 (13) The total number of full-time equivalent  
44 positions in the development area **or expanded development**  
45 **area, as applicable;**

46 (14) The current gross wages, state income tax  
47 withholdings, and federal income tax withholdings for  
48 individuals employed in the development area **or expanded**  
49 **development area, as applicable;**

50 (15) The total number of individuals employed in this  
51 state by the corporate parent of any business benefitting  
52 from public expenditures in the development area, and all  
53 subsidiaries thereof, as of December thirty-first of the  
54 prior fiscal year, categorized by full-time, part-time, and  
55 temporary positions;

56           (16) The number of new jobs **and retained jobs, if**  
57 **applicable**, to be created by any business [benefitting from  
58 public expenditures] in the development area **or expanded**  
59 **development area, as applicable**, categorized by full-time,  
60 part-time, and temporary positions;

61           (17) The average hourly wage to be paid to all current  
62 and new employees at the project site **of a development**  
63 **project**, categorized by full-time, part-time, and temporary  
64 positions;

65           (18) For project sites located in a metropolitan  
66 statistical area, as defined by the federal Office of  
67 Management and Budget, the average hourly wage paid to  
68 nonmanagerial employees in this state for the industries  
69 involved at the project, as established by the United States  
70 Bureau of Labor Statistics;

71           (19) For project sites located outside of metropolitan  
72 statistical areas, the average weekly wage paid to  
73 nonmanagerial employees in the county for industries  
74 involved at the project, as established by the United States  
75 Department of Commerce;

76           (20) A list of other community and economic benefits  
77 to result from the project;

78           (21) A list of all development subsidies that any  
79 business benefitting from public expenditures in the  
80 development area **or expanded development area, as**  
81 **applicable**, has previously received for the project, and the  
82 name of any other granting body from which such subsidies  
83 are sought;

84           (22) A list of all other public investments made or to  
85 be made by this state or units of local government to  
86 support infrastructure or other needs generated by the

87 project for which the funding pursuant to [this act]  
88 **sections 99.915 to 99.980** is being sought;

89 (23) A statement as to whether the development project  
90 **or expanded development project, as applicable,** may reduce  
91 employment at any other site, within or without of the  
92 state, resulting from automation, merger, acquisition,  
93 corporate restructuring, relocation, or other business  
94 activity. **For an expanded development project, a statement**  
95 **as to whether such jobs may be retained jobs;**

96 (24) A statement as to whether or not the project  
97 involves the relocation of work from another address and if  
98 so, the number of jobs to be relocated and the address from  
99 which they are to be relocated. **For an expanded development**  
100 **project, a statement as to whether such jobs may be retained**  
101 **jobs;**

102 (25) A list of businesses that are competing with the  
103 business benefitting from the development plan in the county  
104 containing the development area and in each contiguous  
105 county;

106 (26) A market study for the development area **or**  
107 **expanded development area, as applicable; [and]**

108 (27) **An expanded development plan shall include a**  
109 **description of any amendment to or modification of a**  
110 **development area sought in conjunction with an expanded**  
111 **development project and a description of any amendment to or**  
112 **modification of a development project area sought in**  
113 **conjunction with an expanded development project;**

114 (28) **The total number of natural persons residing in**  
115 **the expanded development area in the baseline year, if a**  
116 **municipal residential earnings tax increment or state**  
117 **residential income tax increment is sought to be included in**  
118 **funding;**

119           (29) For an expanded development area, the identity of  
120 the developer;

121           (30) For an expanded development area, an explanation  
122 of how the area is in the central business district and  
123 either furthers the development of the major initiative or  
124 has structures in the area fifty percent or more of which  
125 have an age of thirty-five years or more; and

126           (31) A certification by the chief officer of the  
127 applicant as to the accuracy of the development plan **or**  
128 **expanded development plan, as applicable.**

129           2. For any home rule city with more than four hundred  
130 thousand inhabitants and located in more than one county,  
131 for any county with a charter form of government and with  
132 more than one million inhabitants, any county of the first  
133 classification with more than one hundred thirty-five  
134 thousand four hundred but less than one hundred thirty-five  
135 thousand five hundred inhabitants and any municipality  
136 within the county, and for any city not within a county, the  
137 authority shall be required in connection with the  
138 designation of the development area, development projects,  
139 and development project areas, to work with local community  
140 development corporations, as defined in subsection 3 of  
141 section 135.400, with a goal that over the term of the  
142 development plan five percent of the funds generated  
143 pursuant to section 99.957 will be expended in connection  
144 with such projects through the community development  
145 revolving fund created pursuant to section 99.939.

146           3. The development plan **or expanded development plan,**  
147 **as applicable,** may be adopted by a municipality in reliance  
148 on findings that a reasonable person would believe:

149           (1) The development area **or expanded development area,**  
150 **as applicable,** on the whole is a blighted area or a

151 conservation area. Such a finding shall include, but not be  
152 limited to, a detailed description of the factors that  
153 qualify the development area or project **or expanded**  
154 **development area or project, as applicable** pursuant to this  
155 subsection, a written statement, signed by members of the  
156 governing body of the municipality or authority confirming  
157 that the information has been independently reviewed by the  
158 members of the governing body of the municipality or  
159 authority with due diligence to confirm its accuracy,  
160 truthfulness, and completeness. The study shall be of  
161 sufficient specificity to allow representatives of the  
162 authority or the municipality to conduct investigations  
163 deemed necessary in order to confirm its findings;

164 (2) The development area **or expanded development area,**  
165 **as applicable,** has not been subject to **material** growth and  
166 development through investment by private enterprise and  
167 would not reasonably be anticipated to be developed without  
168 the implementation of one or more development projects **or**  
169 **expanded development projects, as applicable,** and the  
170 adoption of local and state development financing;

171 (3) The development plan **or expanded development plan,**  
172 **as applicable,** conforms to the comprehensive plan for the  
173 development of the municipality as a whole;

174 (4) The estimated dates, which shall not be more than  
175 ~~[twenty-five]~~ **thirty** years from the adoption of the  
176 ordinance approving any development project **or expanded**  
177 **development project, as applicable,** of the completion of  
178 such development project **or expanded development project, as**  
179 **applicable,** and retirement of obligations incurred to  
180 finance development project costs **or expanded development**  
181 **project costs, as applicable,** have been stated, provided  
182 that no ordinance approving a development project **or**

183 **expanded development project, as applicable,** shall be  
184 adopted later than fifteen years from the adoption of the  
185 ordinance approving the development plan **or expanded**  
186 **development plan, as applicable,** and provided that no  
187 property for a development project **or expanded development**  
188 **project, as applicable,** shall be acquired by eminent domain  
189 later than ten years from the adoption of the ordinance  
190 approving such development plan **or expanded development**  
191 **plan, as applicable;**

192 (5) In the event any business or residence is to be  
193 relocated as a direct result of the implementation of the  
194 development plan **or expanded development plan, as**  
195 **applicable,** a plan has been developed for relocation  
196 assistance for businesses and residences;

197 (6) A cost-benefit analysis showing the economic  
198 impact of the development plan **or expanded development plan,**  
199 **as applicable,** on the municipality and school districts that  
200 are at least partially within the boundaries of the  
201 development area **or expanded development area, as**  
202 **applicable.** The analysis shall show the impact on the  
203 economy if the development projects **or expanded development**  
204 **projects, as applicable,** are not built pursuant to the  
205 development plan **or expanded development plan, as**  
206 **applicable,** under consideration. The cost-benefit analysis  
207 shall include a fiscal impact study on each municipality and  
208 school district which is at least partially within the  
209 boundaries of the development area **or expanded development**  
210 **area, as applicable,** and sufficient information from the  
211 authority to evaluate whether each development project **or**  
212 **expanded development project, as applicable,** as proposed is  
213 financially feasible;

214 (7) The development plan does not include the initial  
215 development or redevelopment of any gambling establishment;  
216 and

217 (8) An economic feasibility analysis including a pro  
218 forma financial statement indicating the return on  
219 investment that may be expected without public assistance.  
220 The financial statement shall detail any assumptions made, a  
221 pro forma statement analysis demonstrating the amount of  
222 assistance required to bring the return into a range deemed  
223 attractive to private investors, which amount shall not  
224 exceed the estimated reimbursable project costs.

99.948. 1. A municipality which has created an  
2 authority pursuant to section 99.921 may:

3 (1) Approve by ordinance the exercise by the authority  
4 of the powers, functions, and duties of the authority under  
5 sections 99.915 to 99.980; and

6 (2) After adopting an ordinance in accordance with  
7 subdivision (1) of this subsection and after receipt of  
8 recommendations from the authority in accordance with  
9 **[subsection] subsections 3 and 4** of this section, by  
10 ordinance, designate development areas **or expanded**  
11 **development areas**, adopt the development plans and  
12 development projects **or adopt expanded development plans and**  
13 **expanded development projects**, designate a development  
14 project area for each development project adopted **or**  
15 **designate an expanded development project area for each**  
16 **expanded development project adopted**, and adopt development  
17 financing for each such development project area **or adopt**  
18 **development financing for each such expanded development**  
19 **project area**. No development plan **or expanded development**  
20 **plan, as applicable**, may be adopted until the development  
21 area **or expanded development area, as applicable**, is

22 designated. No development project **or expanded development**  
23 **project, as applicable,** shall be adopted until the  
24 development plan **or expanded development plan, as**  
25 **applicable,** is adopted and the development project area for  
26 each development project **or the expanded development project**  
27 **area for each expanded development project, as applicable,**  
28 shall be designated at the time of adopting the development  
29 project **or expanded development project, as applicable.**

30 2. A municipality may authorize an authority created  
31 pursuant to section 99.921 to exercise all powers and  
32 perform all functions of a transportation development  
33 district pursuant to sections 238.200 to [238.275] **238.280**  
34 within a development area **or expanded development area, as**  
35 **applicable. An expanded development project shall not, by**  
36 **virtue of receiving increments under sections 99.915 to**  
37 **99.980, be rendered ineligible to participate in the**  
38 **programs established by sections 67.1401 to 67.1571, 100.010**  
39 **to 100.200, and 238.200 to 238.280.**

40 3. **With respect to development plans and development**  
41 **areas,** the municipality or authority shall hold public  
42 hearings and provide notice pursuant to sections 99.957 and  
43 99.960. Within ten days following the completion of any  
44 such public hearing, the authority shall vote on and shall  
45 make recommendation to the governing body of the  
46 municipality with regard to any development plan,  
47 development projects, designation of a development area or  
48 amendments thereto which were proposed at such public  
49 hearing.

50 4. **The municipality or authority shall consider and**  
51 **approve any expanded development plan, expanded development**  
52 **project, designation of an expanded development area or**  
53 **amendments thereto, modification of a development area or**

54 **development project area, and, to the extent required under**  
55 **section 99.951, amendments thereto at a meeting held in**  
56 **accordance with chapter 610.**

99.951. 1. Prior to the adoption of the ordinance  
2 designating a development area, adopting a development plan,  
3 or approving a development project, the municipality or  
4 authority shall fix a time and place for a public hearing  
5 and notify each taxing district located wholly or partially  
6 within the boundaries of the proposed development area or  
7 development project area affected. Such notice shall comply  
8 with the provisions of subsection 2 of this section. At the  
9 public hearing any interested person or affected taxing  
10 district may file with the municipality or authority written  
11 objections to, or comments on, and may be heard orally in  
12 respect to, any issues regarding the plan or issues embodied  
13 in the notice. The municipality or authority shall hear and  
14 consider all protests, objections, comments, and other  
15 evidence presented at the hearing. The hearing may be  
16 continued to another date without further notice other than  
17 a motion to be entered upon the minutes fixing the time and  
18 place of the subsequent hearing. Prior to the conclusion of  
19 the hearing, changes may be made in the development plan,  
20 development project, development area or development project  
21 area, provided that written notice of such changes is  
22 available at the public hearing. After the public hearing  
23 but prior to the adoption of an ordinance designating a  
24 development area, adopting a development plan or approving a  
25 development project, changes may be made to any such  
26 proposed development plan, development project, development  
27 area, or development project area without a further hearing,  
28 if such changes do not enlarge the exterior boundaries of  
29 the development area, and do not substantially affect the

30 general land uses established in a development plan or  
31 development project, provided that notice of such changes  
32 shall be given by mail to each affected taxing district and  
33 by publication in a newspaper of general circulation in the  
34 development area or development project area, as applicable,  
35 not less than ten days prior to the adoption of the changes  
36 by ordinance. After the adoption of an ordinance  
37 designating the development area, adopting a development  
38 plan, approving a development project, or designating a  
39 development project area, no ordinance shall be adopted  
40 altering the exterior boundaries of the development area or  
41 a development project area affecting the general land uses  
42 established pursuant to the development plan or the general  
43 nature of a development project without holding a public  
44 hearing in accordance with this section. One public hearing  
45 may be held for the simultaneous consideration of a  
46 development area, development plan, development project, or  
47 development project area.

48         2. Notice of the public hearing required by this  
49 section shall be given by publication and mailing. Notice  
50 by publication shall be given by publication at least twice,  
51 the first publication to be not more than thirty days and  
52 the second publication to be not more than ten days prior to  
53 the hearing, in a newspaper of general circulation in the  
54 proposed development area or development project area, as  
55 applicable, and in two minority newspapers, if such  
56 newspapers are published in the municipality, of which one  
57 shall be published in the Spanish language, if such a  
58 newspaper is published in the municipality. Notice by  
59 mailing shall be given by depositing such notice in the  
60 United States mail by certified mail addressed to the person  
61 or persons in whose name the general taxes for the last

62 preceding year were paid on each lot, block, tract, or  
63 parcel of land lying within the proposed development area or  
64 development project area, as applicable, which is to be  
65 subjected to the payment or payments in lieu of taxes and  
66 economic activity taxes pursuant to section 99.957. Such  
67 notice shall be mailed not less than ten working days prior  
68 to the date set for the public hearing. In the event taxes  
69 for the last preceding year were not paid, the notice shall  
70 also be sent to the persons last listed on the tax rolls  
71 within the preceding three years as the owners of such  
72 property.

73 3. The notices issued pursuant to this section shall  
74 include the following:

- 75 (1) The time and place of the public hearing;
- 76 (2) The general boundaries of the proposed development  
77 area or development project area, as applicable, by street  
78 location, where possible;
- 79 (3) A statement that all interested persons shall be  
80 given an opportunity to be heard at the public hearing;
- 81 (4) A description of the development plan and the  
82 proposed development projects and a location and time where  
83 the entire development plan or development projects proposed  
84 may be reviewed by any interested party;
- 85 (5) An estimate of other net new revenues;
- 86 (6) A statement that development financing involving  
87 tax revenues and payments in lieu of taxes is being sought  
88 for the project and an estimate of the amount of local  
89 development financing that will be requested, if applicable;  
90 and
- 91 (7) Such other matters as the municipality or  
92 authority may deem appropriate.

93           4. Not less than forty-five days prior to the date set  
94 for the public hearing, the municipality or authority shall  
95 give notice by mail as provided in subsection 2 of this  
96 section to all taxing districts with jurisdiction over  
97 taxable property in the development area or development  
98 project area, as applicable, and in addition to the other  
99 requirements pursuant to subsection 3 of this section, the  
100 notice shall include an invitation to each taxing district  
101 to submit comments to the municipality or authority  
102 concerning the subject matter of the hearing prior to the  
103 date of the hearing.

104           5. **Prior to the adoption of an ordinance designating**  
105 **an expanded development area, approving an expanded**  
106 **development plan or expanded development project, or**  
107 **modifying a development area or development project area, as**  
108 **applicable, the municipality or authority shall notify each**  
109 **affected taxing district located wholly or partially within**  
110 **the boundaries of the proposed expanded development area or**  
111 **expanded development project area, as applicable, of the**  
112 **meeting at which such ordinance shall be considered. Such**  
113 **notice shall comply with chapter 610, contain a summary of**  
114 **the ordinance, and be provided not less than forty-five days**  
115 **prior to the meeting. At the meeting, any interested person**  
116 **or affected taxing district may file with the municipality**  
117 **or authority written objections to, or comments on, and may**  
118 **be heard orally in respect to, any issues regarding the**  
119 **plan, project, or areas embodied in the ordinance. The**  
120 **municipality or authority shall hear and consider all**  
121 **protests, objections, comments, and other evidence presented**  
122 **at the meeting. The ordinance may be considered at**  
123 **subsequent meetings subject to any notice requirements**  
124 **applicable under chapter 610. Prior to adoption of an**

125 ordinance designating an expanded development area,  
126 approving an expanded development plan or expanded  
127 development project, or modifying a development area or  
128 development project area, as applicable, changes may be made  
129 to the proposed expanded development area, expanded  
130 development plan, expanded development project, or  
131 development area or development project area modification,  
132 as applicable, so long as such changes are identified during  
133 the meeting at which the adoption of the ordinance is  
134 considered, recorded in the minutes of such meeting, and are  
135 subject to public comment during the meeting. After  
136 adoption of the ordinance, changes may be made to the  
137 expanded development area, expanded development plan,  
138 expanded development project, or development area or  
139 development project area modifications, as applicable, so  
140 long as the areas, plan, project, or modification remain  
141 generally consistent with that approved by the ordinance.  
142 Any change which would render the expanded development area,  
143 expanded development plan, expanded development project, or  
144 development area or development project area modification  
145 not generally consistent with the approved ordinance shall  
146 be considered and approved only at a meeting held in  
147 accordance with chapter 610.

148 6. A copy of any and all hearing notices required by  
149 this section shall be submitted by the municipality or  
150 authority to the director of the department [of economic  
151 development] and the date such notices were mailed or  
152 published, as applicable.

99.954. 1. For the purpose of financing development  
2 project costs **or expanded development project costs, as**  
3 **applicable**, obligations may be issued by the municipality,  
4 or, at the request of the municipality, by the authority or

5 any other political subdivision authorized to issue bonds,  
6 but in no event by the state, to pay or reimburse  
7 development project costs **or expanded development project**  
8 **costs, as applicable.** Such obligations, when so issued,  
9 shall be retired in the manner provided in the ordinance or  
10 resolution authorizing the issuance of such obligations.

11 2. Obligations issued pursuant to sections 99.915 to  
12 99.980 may be issued in one or more series bearing interest  
13 at such rate or rates as the issuing entity shall determine  
14 by ordinance or resolution. Such obligations shall bear  
15 such date or dates, be in such denomination, carry such  
16 registration privileges, be executed in such manner, be  
17 payable in such medium of payment at such place or places,  
18 contain such covenants, terms, and conditions, and be  
19 subject to redemption as such ordinance or resolution shall  
20 provide. Obligations issued pursuant to sections 99.915 to  
21 99.980 may be sold at public or private sale at such price  
22 as shall be determined by the issuing entity and shall state  
23 that obligations issued pursuant to sections 99.915 to  
24 99.980 are special obligations payable solely from the funds  
25 specifically pledged. No referendum approval of the  
26 electors shall be required as a condition to the issuance of  
27 obligations pursuant to sections 99.915 to 99.980.

28 3. In the event the obligations contain a recital that  
29 they are issued pursuant to sections 99.915 to 99.980, such  
30 recital shall be conclusive evidence of their validity and  
31 of the regularity of their issuance.

32 4. Neither the municipality, the authority, or any  
33 other entity issuing such obligations, or the members,  
34 commissioners, directors, or the officers of any such  
35 entities nor any person executing any obligation shall be  
36 personally liable for such obligation by reason of the

37 issuance thereof. The obligations issued pursuant to  
38 sections 99.915 to 99.980 shall not be a general obligation  
39 of the state, the municipality, or any political subdivision  
40 thereof, nor in any event shall such obligation be payable  
41 out of any funds or properties other than those specifically  
42 pledged as security for such obligations. The obligations  
43 shall not constitute indebtedness within the meaning of any  
44 constitutional, statutory, or charter debt limitation or  
45 restriction.

46 5. Obligations issued pursuant to sections 99.915 to  
47 99.980 may be issued to refund, in whole or in part,  
48 obligations theretofore issued by such entity pursuant to  
49 the authority of sections 99.915 to 99.980, whether at or  
50 prior to maturity; provided, however, that the last maturity  
51 of the refunding obligations shall not be expressed to  
52 mature later than the last maturity date of the obligations  
53 to be refunded.

54 6. In the event a municipality or authority issues  
55 obligations under home rule powers or other legislative  
56 authority, the proceeds of which are pledged to pay for  
57 development project costs **or expanded development project**  
58 **costs, as applicable**, the municipality may retire such  
59 obligations from funds in the special allocation fund in  
60 amounts and in such manner as if such obligations had been  
61 issued pursuant to the provisions of sections 99.915 to  
62 99.980.

63 7. State supplemental downtown development financing  
64 shall not be used for retiring or refinancing debt or  
65 obligations on a previously publicly financed redevelopment  
66 project without express approval from the director of the  
67 department [of economic development and the Missouri  
68 development finance board]. No approval shall be granted

69 unless the application for state supplemental downtown  
70 development financing contains development projects **or**  
71 **expanded development projects, as applicable,** that are new  
72 projects which were not a part of the development projects  
73 for which there is existing public debt or obligations.

99.957. 1. A municipality, after designating a  
2 development area, adopting a development plan, and adopting  
3 any development project in conformance with the procedures  
4 of sections 99.915 to 99.980, may adopt development  
5 financing for the development project area selected for any  
6 such development project **or for the expanded development**  
7 **project area selected for any expanded development project,**  
8 **as applicable,** by passing an ordinance. Upon the adoption  
9 of the first of any such ordinances, the municipality shall  
10 establish, or shall direct the authority to establish, a  
11 special allocation fund for the development area **or expanded**  
12 **development area, as applicable.**

2. Immediately upon the adoption of a resolution or  
14 ordinance adopting development financing for a development  
15 project area **or expanded development project area, as**  
16 **applicable,** pursuant to subsection 1 of this section, the  
17 county assessor shall determine the total equalized assessed  
18 value of all taxable real property within such development  
19 project area **or expanded development project area, as**  
20 **applicable,** by adding together the most recently ascertained  
21 equalized assessed value of each taxable lot, block, tract,  
22 or parcel of real property within such development project  
23 area **or expanded development project area, as applicable,** as  
24 of the date of the adoption of such resolution or ordinance  
25 and shall provide to the clerk of the municipality written  
26 certification of such amount as the total initial equalized  
27 assessed value of the taxable real property within such

28 development project area **or expanded development project**  
29 **area, as applicable.**

30 3. In each of the twenty-five calendar years following  
31 the adoption of an ordinance adopting development financing  
32 for a development project area **or expanded development**  
33 **project area, as applicable,** pursuant to subsection 1 of  
34 this section unless and until development financing for such  
35 development project area **or expanded development project**  
36 **area, as applicable,** is terminated by ordinance of the  
37 municipality, the ad valorem taxes, and payments in lieu of  
38 taxes, if any, arising from the levies upon taxable real  
39 property in such development project area by taxing  
40 districts at the tax rates determined in the manner provided  
41 in section 99.968 shall be divided as follows:

42 (1) That portion of taxes, penalties, and interest  
43 levied upon each taxable lot, block, tract, or parcel of  
44 real property in such development project area **or expanded**  
45 **development project area, as applicable,** which is  
46 attributable to the initial equalized assessed value of each  
47 such taxable lot, block, tract, or parcel of real property  
48 in such development project area as certified by the county  
49 assessor in accordance with subsection 2 of this section  
50 shall be allocated to and, when collected, shall be paid by  
51 the collecting authority to the respective affected taxing  
52 districts in the manner required by law in the absence of  
53 the adoption of development financing;

54 (2) Payments in lieu of taxes attributable to the  
55 increase in the current equalized assessed valuation of each  
56 taxable lot, block, tract, or parcel of real property in the  
57 development project area **or expanded development project**  
58 **area, as applicable,** and any applicable penalty and interest  
59 over and above the initial equalized assessed value of each

60 such taxable lot, block, tract, or parcel of real property  
61 in such development project area **or expanded development**  
62 **project area, as applicable**, as certified by the county  
63 assessor in accordance with subsection 2 of this section  
64 shall be allocated to and, when collected, shall be paid to  
65 the collecting officer of the municipality who shall deposit  
66 such payment in lieu of taxes into a separate segregated  
67 account for payments in lieu of taxes within the special  
68 fund. Payments in lieu of taxes which are due and owing  
69 shall constitute a lien against the real property from which  
70 such payments in lieu of taxes are derived and shall be  
71 collected in the same manner as real property taxes,  
72 including the assessment of penalties and interest where  
73 applicable. The lien of payments in lieu of taxes may be  
74 foreclosed in the same manner as the lien of real property  
75 taxes. No part of the current equalized assessed valuation  
76 of each taxable lot, block, tract, or parcel of property in  
77 any such development project area **or expanded development**  
78 **project area, as applicable**, attributable to any increase  
79 above the initial equalized assessed value of each such  
80 taxable lot, block, tract, or parcel of real property in  
81 such development project area **or expanded development**  
82 **project area, as applicable**, as certified by the county  
83 assessor in accordance with subsection 2 of this section  
84 shall be used in calculating the general state school aid  
85 formula provided for in section 163.031 until development  
86 financing for such development project area expires or is  
87 terminated in accordance with sections 99.915 to 99.980;

88 (3) For purposes of this section, "levies upon taxable  
89 real property in such development area **or expanded**  
90 **development area, as applicable**, by taxing districts" shall  
91 not include the blind pension fund tax levied under the

92 authority of Section 38(b), Article III, of the Missouri  
93 Constitution, the merchants' and manufacturers' inventory  
94 replacement tax levied under the authority of subsection 2  
95 of Section 6, Article X of the Missouri Constitution, the  
96 desegregation sales tax, or the conservation taxes.

97 4. In each of the twenty-five calendar years, **or at**  
98 **the option of the municipality up to thirty calendar years,**  
99 following the adoption of an ordinance or resolution  
100 adopting development financing for a development project  
101 area **or expanded development project area, as applicable,**  
102 pursuant to subsection 1 of this section unless and until  
103 development financing for such development project area **or**  
104 **expanded development project area, as applicable,** is  
105 terminated in accordance with sections 99.915 to 99.980,  
106 fifty percent, **or at the option of the municipality a higher**  
107 **percentage,** of the economic activity taxes from such  
108 development project area **or expanded development project**  
109 **area, as applicable,** shall be allocated to, and paid by the  
110 collecting officer of any such economic activity tax to, the  
111 treasurer or other designated financial officer of the  
112 municipality, who shall deposit such funds in a separate  
113 segregated account for economic activity taxes within the  
114 special allocation fund. Provided however, in any county,  
115 the governing body of the county may, by resolution, exclude  
116 any portion of any countywide sales tax of such county.

117 5. In no event shall a municipality collect and  
118 deposit economic activity taxes in the special allocation  
119 fund unless the [developing] **development project or expanded**  
120 **development project, as applicable,** has been approved for  
121 state supplemental downtown development financing pursuant  
122 to section 99.960.

123           6. In each of the twenty-five calendar years, or at  
124 the option of the municipality up to thirty calendar years,  
125 following the adoption of an ordinance or resolution  
126 adopting development financing for an expanded development  
127 project area pursuant to subsection 1 of this section unless  
128 and until development financing for such expanded  
129 development project area is terminated in accordance with  
130 sections 99.915 to 99.980, seventy percent, or at the option  
131 of the municipality a higher percentage, of the municipal  
132 residential earnings tax increment from such expanded  
133 development project area shall be allocated to, and paid by  
134 the collecting officer of any such municipal residential  
135 earnings tax to, the treasurer or other designated financial  
136 officer of the municipality, who shall deposit such funds in  
137 a separate segregated account for municipal residential  
138 earnings taxes within the special allocation fund. This  
139 section shall not apply to a municipality that, in the  
140 determination of the department, has adopted an ordinance  
141 that allocates a sufficient amount of the additional  
142 economic activity taxes to the expanded development project  
143 for the period for which other net new revenues are sought  
144 from the state to substitute for the municipal residential  
145 earnings tax amount in this section. For purposes of this  
146 subsection, "additional economic activity taxes" means  
147 economic activity taxes above the percentage required in  
148 subsection 4 of this section but is limited to taxes the  
149 municipality has determined are legally permissible to be  
150 used for the expanded development project costs including,  
151 but not limited to, taxes imposed under sections 92.111 to  
152 92.200, 94.510, 94.577, and 144.032.

153           7. In no event shall a municipality collect and  
154 deposit municipal residential earnings tax increment in the

155 **special allocation fund unless the expanded development**  
156 **project has been approved for state supplemental downtown**  
157 **development financing pursuant to section 99.960.**

99.960. 1. A municipality shall submit an application  
2 to the department [of economic development] for review and  
3 [submission of an analysis and recommendation to the  
4 Missouri development finance board for] a determination as  
5 to approval of the disbursement of the project costs of one  
6 or more development projects **or expanded development**  
7 **projects, as applicable,** from the state supplemental  
8 downtown development fund. [The department of economic  
9 development shall forward the application to the Missouri  
10 development finance board with the analysis and  
11 recommendation.] In no event shall any approval authorize a  
12 disbursement of one or more development projects **or expanded**  
13 **development projects, as applicable,** from the state  
14 supplemental downtown development fund which exceeds the  
15 allowable amount of other net new revenues derived from the  
16 development area **or expanded development area, as**  
17 **applicable.** An application submitted to the department [of  
18 economic development] shall contain the following, in  
19 addition to the items set forth in section 99.942:

20 (1) [An estimate] **A certification that for a minimum**  
21 **of twenty-five years** one hundred percent of the payments in  
22 lieu of taxes and economic activity taxes **and, for expanded**  
23 **development projects, if applicable under subsection 6 of**  
24 **section 99.957, one hundred percent of the municipal**  
25 **residential earnings tax increment** deposited to the special  
26 allocation fund must and will be used to pay development  
27 project costs **or expanded development project costs, as**  
28 **applicable,** or obligations issued to finance development  
29 project costs **or expanded development project costs, as**

30 **applicable**, to achieve the objectives of the development  
31 plan **or expanded development plan, as applicable.**  
32 Contributions to the development project **or expanded**  
33 **development project, as applicable**, from any private not-for-  
34 profit organization or local contributions from tax  
35 abatement or other sources may be substituted on a dollar-  
36 for-dollar basis for the local match of one hundred percent  
37 of payments in lieu of taxes, [and] economic activity taxes,  
38 **and the municipal residential earnings tax increment** from  
39 the fund;

40 (2) Identification of the existing businesses located  
41 within the development project area **or expanded development**  
42 **project area, as applicable**, and the development area **or**  
43 **expanded development area, as applicable;**

44 (3) The aggregate baseline year amount of state sales  
45 tax revenues and the aggregate baseline year amount of state  
46 income tax withheld on behalf of existing employees,  
47 reported by existing businesses within the development  
48 project area **or expanded development project area, as**  
49 **applicable.** Provisions of section 32.057 notwithstanding,  
50 municipalities will provide this information to the  
51 department of revenue for verification. The department of  
52 revenue will verify the information provided by the  
53 municipalities within forty-five days of receiving a request  
54 for such verification from a municipality;

55 (4) An estimate of the state sales tax increment and  
56 state income tax increment within the development project  
57 area **or expanded development project area, as applicable**,  
58 after redevelopment;

59 (5) **The total number of natural persons residing in**  
60 **the expanded development area and each expanded development**  
61 **project area in the baseline year, if state residential**

62 income tax increment is sought to be included in other net  
63 new revenues;

64 (6) An estimate of the number of primarily residential  
65 buildings and the number of residential units in such  
66 buildings to be in the expanded development area and each  
67 expanded development project area, regardless of the  
68 inclusion of mixed uses within a portion of the building  
69 after redevelopment;

70 (7) An estimate of the occupancy rate for each  
71 residential building and total projected income for natural  
72 persons residing in leased or occupied residential units in  
73 the expanded development area and each expanded development  
74 project area after redevelopment;

75 (8) An estimate of the state residential income tax  
76 increment within the expanded development area and each  
77 expanded development project area, after redevelopment;

78 (9) For an expanded development area, the identity of  
79 the developer, and if an affiliate of the developer of the  
80 development area, documentation substantiating the  
81 relationship;

82 (10) An affidavit that is signed by the developer or  
83 developers attesting that the provision of subdivision (2)  
84 of subsection 3 of section 99.942 has been met and  
85 specifying that the development area would not be reasonably  
86 anticipated to be developed without the appropriation of the  
87 other net new revenues. **For expanded development areas, the**  
88 **affidavit shall apply to the development area and the**  
89 **associated expanded development area together;**

90 [(6)] (11) The amounts and types of other net new  
91 revenues sought by the applicant to be disbursed from **the**  
92 state supplemental downtown development fund over the term

93 of the development plan **or expanded development plan, as**  
94 **applicable;**

95 [(7)] (12) The methodologies and underlying  
96 assumptions used in determining the estimate of the state  
97 sales tax increment, [and] the state income tax increment,  
98 **and the state residential income tax increment;** and

99 [(8)] (13) Any other information reasonably requested  
100 by the department [of economic development and the Missouri  
101 development finance board].

102 2. The department [of economic development] shall make  
103 all reasonable efforts to process applications within sixty  
104 days of receipt of the application.

105 3. The [Missouri development finance board] **department**  
106 shall make a determination regarding the application for a  
107 certificate allowing disbursements from the state  
108 supplemental downtown development fund [and shall forward  
109 such determination to the director of the department of  
110 economic development]. In no event shall the amount of  
111 disbursements from the state supplemental downtown  
112 development fund approved for a project, in addition to any  
113 other state economic development funding or other state  
114 incentives, exceed the projected state benefit of the  
115 development project **or expanded development project, as**  
116 **applicable,** as determined by the department [of economic  
117 development] through a cost-benefit analysis. Any political  
118 subdivision located either wholly or partially within the  
119 development area shall be permitted to submit information to  
120 the department [of economic development] for consideration  
121 in its cost-benefit analysis. Upon approval of state  
122 supplemental downtown development financing, a certificate  
123 of approval shall be issued by the department [of economic

124 development] containing the terms and limitations of the  
125 disbursement.

126 4. At no time shall the annual amount of other net new  
127 revenues approved for disbursements from the state  
128 supplemental downtown development fund exceed one hundred  
129 eight million dollars.

130 5. Development projects **or expanded development**  
131 **projects, as applicable,** receiving disbursements from the  
132 state supplemental downtown development fund shall be  
133 limited to receiving such disbursements for fifteen years,  
134 unless specific approval for a longer term is given by the  
135 director of the department [of economic development], as set  
136 forth in the certificate of approval; except that, in no  
137 case shall the duration exceed [twenty-five] **thirty** years.  
138 **The department shall not approve a duration of other net new**  
139 **revenues in excess of the number of years that the**  
140 **municipality has allocated economic activity taxes and, if**  
141 **applicable, municipal residential income tax, to the**  
142 **development project or expanded development project, as**  
143 **applicable.** The approved term notwithstanding, state  
144 supplemental downtown development financing shall terminate  
145 when development financing for a development project **or**  
146 **expanded development project, as applicable,** is terminated  
147 by a municipality.

148 6. The municipality shall deposit payments received  
149 from the state supplemental downtown development fund in a  
150 separate segregated account for other net new revenues  
151 within the special allocation fund.

152 7. Development project costs **or expanded development**  
153 **project costs, as applicable,** may include, at the  
154 prerogative of the state, the portion of salaries and  
155 expenses of the department [of economic development, the

156 Missouri development finance board,] and the department of  
157 revenue reasonably allocable to each development project **or**  
158 **expanded development project, as applicable,** approved for  
159 disbursements from the state supplemental downtown  
160 development fund for the ongoing administrative functions  
161 associated with such development project **or expanded**  
162 **development project, as applicable.** Such amounts shall be  
163 recovered from other net new revenues deposited into the  
164 state supplemental downtown development fund created  
165 pursuant to section 99.963.

166 8. A development project **or expanded development**  
167 **project, as applicable,** approved for state supplemental  
168 downtown development financing may not thereafter elect to  
169 receive tax increment financing pursuant to the real  
170 property tax increment allocation redevelopment act,  
171 sections 99.800 to 99.865, and continue to receive state  
172 supplemental downtown development financing pursuant to  
173 sections 99.915 to 99.980.

174 9. The department [of economic development, in  
175 conjunction with the Missouri development finance board,]  
176 may establish the procedures and standards for the  
177 determination and approval of applications by the  
178 promulgation of rules and regulations and publish forms to  
179 implement the provisions of this section and section 99.963.

180 10. Any rule or portion of a rule, as that term is  
181 defined in section 536.010, that is created under the  
182 authority delegated in this section and section 99.963 shall  
183 become effective only if it complies with and is subject to  
184 all of the provisions of chapter 536 and, if applicable,  
185 section 536.028. This section, section 99.963, and chapter  
186 536 are nonseverable and if any of the powers vested with  
187 the general assembly pursuant to chapter 536 to review, to

188 delay the effective date, or to disapprove and annul a rule  
189 are subsequently held unconstitutional, then the grant of  
190 rulemaking authority and any rule proposed or adopted after  
191 August 28, 2003, shall be invalid and void.

192 [11. The Missouri development finance board shall  
193 consider parity based on population and geography of the  
194 state among the regions of the state in making  
195 determinations on applications pursuant to this section.]

99.963. 1. There is hereby established within the  
2 state treasury a special fund to be known as the "State  
3 Supplemental Downtown Development Fund", to be administered  
4 by the department [of economic development]. Any unexpended  
5 balance and any interest in the fund at the end of the  
6 biennium shall be exempt from the provisions of section  
7 33.080 relating to the transfer of unexpended balances to  
8 the general revenue fund. The fund shall consist of:

9 (1) The first one hundred fifty million dollars of  
10 other net new revenues generated annually by the development  
11 projects **and expanded development projects, as applicable;**

12 (2) Money received from costs charged pursuant to  
13 subsection 7 of section 99.960; and

14 (3) Gifts, contributions, grants, or bequests received  
15 from federal, private, or other sources.

16 2. Notwithstanding the provisions of section 144.700  
17 to the contrary, the department of revenue shall annually  
18 submit the first one hundred fifty million of other net new  
19 revenues generated by the development projects **and expanded**  
20 **development projects** to the treasurer for deposit in the  
21 state supplemental downtown development fund.

22 3. The department [of economic development] shall  
23 annually disburse funds from the state supplemental downtown  
24 development fund in amounts determined pursuant to the

25 certificates of approval for projects, [providing] **provided**  
26 that the amounts of other net new revenues generated from  
27 the development area **or expanded development area, as**  
28 **applicable**, have been verified and all of the conditions of  
29 sections 99.915 to 99.980 **and the certificate of approval**  
30 are met.

31 If the revenues appropriated **by the general assembly** from  
32 the state supplemental downtown development fund are not  
33 sufficient to equal the amounts determined to be disbursed  
34 pursuant to such certificates of approval, the department  
35 [of economic development] shall disburse the revenues on a  
36 pro rata basis to all such projects and other costs approved  
37 pursuant to section 99.960.

38 4. In no event shall the amounts distributed to a  
39 project from the state supplemental downtown development  
40 fund exceed the [lessor] **lesser** of the amount of the  
41 certificates of approval for projects or the actual other  
42 net new revenues generated by the projects, **except in the**  
43 **event that the state personal income tax rate is reduced or**  
44 **the tax eliminated and the department issues a certificate**  
45 **of approval using the highest marginal state personal income**  
46 **tax rate in effect at the time the certificate is issued, as**  
47 **authorized under sections 99.914 to 99.980, in which case**  
48 **the actual other net new revenues shall be calculated as set**  
49 **forth in the certificate.**

50 5. The department [of economic development shall not]  
51 **may decline to** disburse any moneys from the state  
52 supplemental downtown development fund for any project which  
53 has not complied with the annual reporting requirements of  
54 section 99.980.

55           6. Money in the state supplemental downtown  
56 development fund may be spent for the reasonable and  
57 necessary costs associated with the administration of the  
58 program authorized under sections 99.915 to 99.980.

59           7. No municipality shall obligate or commit the  
60 expenditure of disbursements received from the state  
61 supplemental downtown development fund prior to receiving a  
62 certificate of approval for the development project **or**  
63 **expanded development project, as applicable**, generating  
64 other net new revenues.

65           8. Taxpayers in any development area **or expanded**  
66 **development area, as applicable**, who are required to remit  
67 sales taxes pursuant to chapter 144 or income tax  
68 withholdings pursuant to chapter 143 shall provide  
69 additional information to the department of revenue in a  
70 form prescribed by the department **of revenue** by rule. Such  
71 information shall include but shall not be limited to  
72 information upon which other net new revenues can be  
73 calculated, and shall include the number of new jobs **and**  
74 **retained jobs, if applicable**, the gross payroll for such  
75 jobs, and sales tax generated in the development area **or**  
76 **expanded development area, as applicable**, by such taxpayer  
77 in the baseline year and during the time period related to  
78 the withholding or sales tax remittance.

79           9. Any rule or portion of a rule, as that term is  
80 defined in section 536.010, that is created under the  
81 authority delegated in this section shall become effective  
82 only if it complies with and is subject to all of the  
83 provisions of chapter 536 and, if applicable, section  
84 536.028. This section and chapter 536 are nonseverable and  
85 if any of the powers vested with the general assembly  
86 pursuant to chapter 536 to review, to delay the effective

87 date, or to disapprove and annul a rule are subsequently  
88 held unconstitutional, then the grant of rulemaking  
89 authority and any rule proposed or adopted after August 28,  
90 2003, shall be invalid and void.

99.965. 1. When all development project costs **or**  
2 **expanded development project costs, as applicable,** and all  
3 obligations issued to finance development project costs **or**  
4 **expanded development project costs, as applicable,** have been  
5 paid in full, the municipality shall adopt an ordinance  
6 terminating development financing for all development  
7 project areas **or expanded development project areas, as**  
8 **applicable.** Immediately upon the adoption of such  
9 ordinance, all payments in lieu of taxes, all economic  
10 activity taxes, **municipal residential earnings tax**  
11 **increment,** and other net new revenues then remaining in the  
12 special allocation fund shall be deemed to be surplus funds;  
13 and thereafter, the rates of the taxing districts shall be  
14 extended and taxes levied, collected, and distributed in the  
15 manner applicable in the absence of the adoption of  
16 development financing. Surplus payments in lieu of taxes  
17 shall be paid to the county collector who shall immediately  
18 thereafter pay such funds to the taxing districts in the  
19 development area **or expanded development area, as**  
20 **applicable,** selected in the same manner and proportion as  
21 the most recent distribution by the collector to the  
22 affected taxing districts of real property taxes from real  
23 property in the development area **or expanded development**  
24 **area, as applicable.** Surplus economic activity taxes shall  
25 be paid to the taxing districts in the development area **or**  
26 **expanded development area, as applicable,** in proportion to  
27 the then current levy rates of such taxing districts that  
28 are attributable to economic activity taxes. **Surplus**

29 **municipal residential earnings tax increment shall be paid**  
30 **to the municipality.** Surplus other net new revenues shall  
31 be paid to the state. Any other funds remaining in the  
32 special allocation fund following the adoption of an  
33 ordinance terminating development financing in accordance  
34 with this section shall be deposited to the general fund of  
35 the municipality.

36 2. Upon the payment of all development project costs  
37 **or expanded development project costs, as applicable,**  
38 retirement of obligations, and the distribution of any  
39 surplus funds pursuant to this section, the municipality  
40 shall adopt an ordinance dissolving the special allocation  
41 fund and terminating the designation of the development area  
42 as a development area **or the expanded development area as an**  
43 **expanded development area, as applicable.**

44 3. Nothing in sections 99.915 to 99.980 shall be  
45 construed as relieving property in such areas from paying a  
46 uniform rate of taxes, as required by Section 3, Article X  
47 of the Missouri Constitution.

99.968. In each of the twenty-five calendar years  
2 following the adoption of an ordinance adopting development  
3 financing for a development project area **or expanded**  
4 **development project area, as applicable,** unless and until  
5 development financing for such development project area **or**  
6 **expanded development project area, as applicable,** is  
7 terminated by ordinance of the municipality, then, in  
8 respect to every taxing district containing such development  
9 project area **or expanded development project area, as**  
10 **applicable,** the county clerk, or any other official required  
11 by law to ascertain the amount of the equalized assessed  
12 value of all taxable property within such development  
13 project area **or expanded development project area, as**

14 **applicable**, for the purpose of computing any debt service  
15 levies to be extended upon taxable property within such  
16 development project area **or expanded development project**  
17 **area, as applicable**, shall in every year that development  
18 financing is in effect **with respect to real property taxes**  
19 ascertain the amount of value of taxable property in such  
20 development project area **or expanded development project**  
21 **area, as applicable**, by including in such amount the  
22 certified total initial equalized assessed value of all  
23 taxable real property in such development project area **or**  
24 **expanded development project area, as applicable**, in lieu of  
25 the equalized assessed value of all taxable real property in  
26 such development project area. For the purpose of measuring  
27 the size of payments in lieu of taxes under sections 99.915  
28 to 99.980, all tax levies shall then be extended to the  
29 current equalized assessed value of all property in the  
30 development project area **or expanded development project**  
31 **area, as applicable**, in the same manner as the tax rate  
32 percentage is extended to all other taxable property in the  
33 taxing district.

99.975. 1. No new applications **for a development**  
2 **area, development plan, or development project** made pursuant  
3 to sections 99.915 to 99.980 shall be approved after January  
4 1, 2013.

2. [No applications made pursuant to sections 99.915  
6 to 99.980 shall be approved prior to August 28, 2003, except  
7 for applications for projects that are located within a  
8 county for which public and individual assistance has been  
9 requested by the governor pursuant to section 401 of the  
10 Robert T. Stafford Disaster Relief and Emergency Assistance  
11 Act, 42 U.S.C. 5121 et seq., for an emergency proclaimed by  
12 the governor pursuant to section 44.100 due to a natural

13 disaster of major proportions that occurred after May 1,  
14 2003, but prior to May 10, 2003, and the development project  
15 area is a central business district that sustained severe  
16 damage as a result of such natural disaster, as determined  
17 by the state emergency management agency.

18 3.] Prior to December 31, 2006, the Missouri  
19 development finance board may approve up to two applications  
20 made pursuant to sections 99.915 to 99.980 **for a development**  
21 **project** [in a home rule city with more than four hundred  
22 thousand inhabitants and located in more than one county] in  
23 which the state sales tax increment for such projects  
24 approved pursuant to the provisions of this subsection shall  
25 be up to one-half of the incremental increase in all sales  
26 taxes levied pursuant to section 144.020. [In no event  
27 shall the incremental increase include any amounts  
28 attributable to retail sales unless the Missouri development  
29 finance board and the department of economic development are  
30 satisfied based on information provided by the municipality  
31 or authority, and such entities have made a finding that a  
32 substantial portion of all but a de minimus portion of the  
33 sales tax increment attributable to retail sales is from new  
34 sources which did not exist in the state during the baseline  
35 year.]

36 3. No new applications for expanded development  
37 projects made pursuant to sections 99.915 to 99.980 shall be  
38 approved after January 1, 2037.

39 4. No later than December 31, 2030, a municipality  
40 eligible to apply to the department for other net new  
41 revenues for an expanded development area under section  
42 99.960 must submit to the department a map or other  
43 documentation identifying the bounds of the expanded  
44 development area to which it will limit itself in its

45 application or applications to the department. The  
46 submission shall include the projected locations of the  
47 possible expanded development project areas and a list of  
48 possible expanded development projects, along with any  
49 potential amendments to a development area that may be  
50 sought in conjunction with an expanded development project.  
51 The municipality shall be limited to inclusion in any  
52 application to the department under section 99.960 to the  
53 expanded development area identified to the department no  
54 later than December 31, 2030.

55 5. The incremental increase for an existing facility  
56 shall be the amount of all state sales taxes generated  
57 pursuant to section 144.020 at the facility in excess of the  
58 amount of all state sales taxes generated pursuant to  
59 section 144.020 at the facility in the baseline year. The  
60 incremental increase in development project areas **or**  
61 **expanded development project areas, as applicable**, where the  
62 baseline year is the year following the year in which the  
63 development project **or expanded development project, as**  
64 **applicable**, is approved by the municipality pursuant to  
65 subdivision (2) of section 99.918 shall be the state sales  
66 tax revenue generated by out-of-state businesses relocating  
67 into a development project area **or expanded development**  
68 **project area, as applicable**. The incremental increase for a  
69 Missouri facility which relocates to a development project  
70 area **or expanded development project area, as applicable**,  
71 shall be the amount by which the state sales tax revenue of  
72 the facility exceeds the state sales tax revenue for the  
73 facility in the calendar year prior to relocation.

99.980. 1. By the last day of February each year, the  
2 municipality or authority shall report to the director of  
3 the department [of economic development] the name, address,

4 phone number, and primary line of business of any business  
5 which relocates to the development area **or expanded**  
6 **development area, as applicable.**

7         2. Each year the governing body of the municipality,  
8 or its designee, shall prepare a report concerning the  
9 status of the development plan, the development area, and  
10 the included development projects **or the expanded**  
11 **development plan, the expanded development area, and the**  
12 **included expanded development projects, as applicable,** and  
13 shall submit a copy of such report to the director of the  
14 department [of economic development]. **Unless otherwise**  
15 **determined by the department,** the report shall include the  
16 following:

17           (1) The name, street and mailing addresses, phone  
18 number, and chief officer of the granting body;

19           (2) The name, street and mailing addresses, phone  
20 number, and chief officer of any business benefitting from  
21 public expenditures in such development plans and projects  
22 **or expanded development plan and projects, as applicable;**

23           (3) The amount and source of revenue in the special  
24 allocation fund;

25           (4) The amount and purpose of expenditures from the  
26 special allocation fund;

27           (5) The amount of any pledge of revenues, including  
28 principal and interest on any outstanding bonded  
29 indebtedness;

30           (6) The original equalized assessed value of the  
31 development area **or expanded development area, as applicable;**

32           (7) The assessed valuation added to the development  
33 area **or expanded development area, as applicable;**

34           (8) Payments made in lieu of taxes received and  
35 expended;

36           (9) The economic activity taxes generated within the  
37 development area **or expanded development area, as**  
38 **applicable**, in the baseline year;

39           (10) The economic activity taxes generated within the  
40 development area **or expanded development area, as**  
41 **applicable**, after the baseline year;

42           (11) Reports on contracts made incident to the  
43 implementation and furtherance of a development area, the  
44 development plan, and the included development projects **or**  
45 **an expanded development area, the expanded development plan,**  
46 **and the included expanded development projects, as**  
47 **applicable;**

48           (12) A copy of the development plan **or expanded**  
49 **development plan, as applicable;**

50           (13) The cost of any property acquired, disposed of,  
51 rehabilitated, reconstructed, repaired, or remodeled;

52           (14) The number of parcels acquired by or through  
53 initiation of eminent domain proceedings;

54           (15) For municipalities with more than four hundred  
55 thousand inhabitants and located in more than one county,  
56 any county with a charter form of government and with more  
57 than one million inhabitants, any city not within a county,  
58 and any county of the first classification with more than  
59 one hundred thirty-five thousand four hundred but less than  
60 one hundred thirty-five thousand five hundred inhabitants  
61 and any municipality located therein, the number of  
62 development projects developed in connection with community  
63 development corporations and the amount of funds generated  
64 pursuant to section 99.957 which are expended in connection  
65 with such project;

66 (16) A summary of the number of net new jobs created  
67 **and retained jobs, if applicable**, categorized by full-time,  
68 part-time, and temporary positions, and by wage groups;

69 (17) The comparison of the total employment in this  
70 state by any business, including any corporate parent,  
71 benefitting from public expenditures in the development area  
72 **or expanded development area, as applicable**, on the date of  
73 the application compared to such employment on the date of  
74 the report, categorized by full-time, part-time, and  
75 temporary positions;

76 (18) A statement as to whether public expenditures on  
77 any development project **or expanded development project, as**  
78 **applicable**, during the previous fiscal year have reduced  
79 employment at any other site controlled by any business  
80 benefitting from public expenditures in the development area  
81 **or expanded development area, as applicable**, or its  
82 corporate parent, within or without of this state as a  
83 result of automation, merger, acquisition, corporate  
84 restructuring, or other business activity;

85 (19) A summary of the other community and economic  
86 benefits resulting from the project, consistent with those  
87 identified in the application;

88 (20) A signed certification by the chief officer of  
89 the authority or municipality as to the accuracy of the  
90 progress report; and

91 (21) Any additional reasonable information the  
92 department [of economic development] deems necessary.

93 3. The report shall include an analysis of the  
94 distribution of state supplemental downtown development  
95 financing by **the** municipality [and by economic development  
96 region, as defined by the department of economic  
97 development].

98           4. The department shall compile and publish all data  
99 from the progress reports in both written and electronic  
100 form, including the department's internet website.

101           5. The department shall have access at all reasonable  
102 times to the project site and the records of any authority  
103 or municipality in order to monitor the development project  
104 or projects **or expanded development project or projects, as**  
105 **applicable**, and to prepare progress reports.

106           6. Data contained in the report required pursuant to  
107 the provisions of subsection 1 of this section and any  
108 information regarding amounts disbursed to municipalities  
109 pursuant to the provisions of sections 99.957 and 99.963  
110 shall be deemed a public record, as defined in section  
111 610.010.

112           7. Any municipality failing to file an annual report  
113 as required pursuant to this section **[shall] may be**  
114 **determined by the department to** be ineligible to receive any  
115 disbursements from the state supplemental downtown  
116 development fund pursuant to section 99.963.

117           8. The **[Missouri development finance board and the]**  
118 department **[of economic development]** shall annually review  
119 the reports provided pursuant to this section.

120           9. The director of the department **[of economic**  
121 **development]** shall submit a report to the governor, the  
122 speaker of the house of representatives, and the president  
123 pro tempore of the senate no later than April thirtieth of  
124 each year. The report shall contain a summary of all  
125 information received by the director of **[economic**  
126 **development]** **the department** pursuant to subsection 2 of this  
127 section.

128           10. An annual statement showing the payments made in  
129 lieu of taxes received and expended in that year, the status

130 of the development area **or expanded development area, as**  
131 **applicable,** the development plan **or expanded development**  
132 **plan, as applicable,** the development projects in the  
133 development plan **or the expanded development projects in the**  
134 **expanded development plan, as applicable,** the amount of  
135 outstanding obligations, and any additional information that  
136 the municipality deems necessary shall be published in a  
137 newspaper of general circulation in the municipality.

138 11. Five years after the establishment of the  
139 development area and the development plan **or the expanded**  
140 **development area and expanded development plan, as**  
141 **applicable,** and **unless otherwise determined by the**  
142 **municipality or authority,** every five years thereafter the  
143 governing body of the municipality or authority shall hold a  
144 public hearing regarding the development area and the  
145 development plan **or the expanded development area and the**  
146 **expanded development plan, as applicable,** and the  
147 development projects **or expanded development projects, as**  
148 **applicable,** adopted pursuant to sections 99.915 to 99.980.  
149 The purpose of the hearing shall be to determine if the  
150 development area **or expanded development area, as**  
151 **applicable,** development plan **or expanded development plan,**  
152 **as applicable,** and the included development projects **or**  
153 **expanded development projects, as applicable,** are making  
154 satisfactory progress under the proposed time schedule  
155 contained within the approved development plan **or expanded**  
156 **development plan, as applicable,** for completion of such  
157 development projects **or expanded development projects, as**  
158 **applicable.** Notice of such public hearing shall be given in  
159 a newspaper of general circulation in the area served by the

160 municipality or authority once each week for four weeks  
161 immediately prior to the hearing.

✓