

# HOUSE BILL NO. 2250

## 99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE CHRISTOFANELLI.

5648H.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapters 67, 99, and 238, RSMo, by adding thereto three new sections relating to local development incentives.

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

Section A. Chapters 67, 99, and 238, RSMo, are amended by adding thereto three new sections, to be known as sections 67.1479, 99.846, and 238.276, to read as follows:

**67.1479. 1. No district created after August 28, 2018, shall exist for longer than ten years without reauthorization from registered voters, except while the district is liable for outstanding bonds. If the district has no outstanding bonds, every ten years the question of whether to reauthorize the district shall be submitted to voters. The question shall be submitted in substantially the following form:**

**Shall the \_\_\_\_\_ District be abolished?**

Yes  No

**If a majority of registered voters voting thereon are against abolishment, the district shall continue. If a majority of registered voters voting thereon are for abolishment, the board shall dissolve the district under this section.**

**2. Upon a vote in favor of abolishment, the state auditor shall audit the district to determine its financial status.**

**3. To dissolve a district, its board shall:**

**(1) Transfer ownership and control of the project to an appropriate local authority, which shall be responsible for all future maintenance costs pursuant to contract;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           **(2) Sell any remaining district real or personal property. The board shall then use**  
18 **the proceeds and any liquid assets in the following order:**

19           **(a) Satisfy any outstanding liabilities;**

20           **(b) If the district has any pending action described under subsection 4 of this**  
21 **section against it, place an amount reasonably expected to satisfy such claim or cause of**  
22 **action in escrow;**

23           **(c) Transfer a reasonable sum for maintenance costs to the local authority assuming**  
24 **maintenance and control of the project; and**

25           **(d) Deposit the remainder, if any, into the general revenue fund established under**  
26 **section 33.543;**

27           **(3) Terminate the employment of board employees;**

28           **(4) Otherwise conclude its affairs;**

29           **(5) At a public meeting of the district, declare by a majority vote that the district**  
30 **is dissolved effective that date; and**

31           **(6) Cause copies of that resolution under seal to be filed with the secretary of state,**  
32 **the director of revenue, and each municipality affected by the district.**

33

34 **Upon the completion of the act specified under subdivision (6) of this subsection, the legal**  
35 **existence of the district shall cease.**

36           **4. If the district has any outstanding claims or causes of action pending against the**  
37 **district or in receivership or under the jurisdiction of the bankruptcy court, the board shall**  
38 **satisfy subdivisions (1) to (4) of subsection 3 of this section but not subdivisions (5) or (6)**  
39 **of subsection 3 of this section until such pending actions are resolved.**

**99.846. 1. No tax increment financing project created after August 28, 2018, shall**  
2 **exist for longer than ten years without reauthorization from registered voters, except while**  
3 **the tax increment financing project is liable for outstanding bonds. If the district has no**  
4 **outstanding bonds, every ten years the question of whether to reauthorize the tax**  
5 **increment financing project shall be submitted to voters. The question shall be submitted**  
6 **in substantially the following form:**

7           **Shall the \_\_\_\_\_ Project be abolished?**

8            **Yes**    **No**

9

10 **If a majority of registered voters voting thereon are against abolishment, the tax increment**  
11 **financing project shall continue. If a majority of registered voters voting thereon are for**  
12 **abolishment, the commission shall dissolve the tax increment financing project under this**  
13 **section.**

14           **2. Upon a vote in favor of abolishment, the state auditor shall audit the tax**  
15 **increment financing project to determine its financial status.**

16           **3. To dissolve a tax increment financing project, its commission shall:**

17           **(1) Transfer ownership and control of the project to an appropriate local authority,**  
18 **which shall be responsible for all future maintenance costs pursuant to contract;**

19           **(2) Sell any remaining tax increment financing project real or personal property.**  
20 **The commission shall then use the proceeds and any liquid assets in the following order:**

21           **(a) Satisfy any outstanding liabilities;**

22           **(b) If the tax increment financing project has any pending action described under**  
23 **subsection 4 of this section against it, place an amount reasonably expected to satisfy such**  
24 **claim or cause of action in escrow;**

25           **(c) Transfer a reasonable sum for maintenance costs to the local authority assuming**  
26 **maintenance and control of the project; and**

27           **(d) Deposit the remainder, if any, into the general revenue fund established under**  
28 **section 33.543;**

29           **(3) Terminate the employment of tax increment financing project employees;**

30           **(4) Otherwise conclude its affairs;**

31           **(5) At a public meeting of the commission, declare by a majority vote that the tax**  
32 **increment financing project is dissolved effective that date; and**

33           **(6) Cause copies of that resolution under seal to be filed with the secretary of state,**  
34 **the director of revenue, and each political subdivision affected by the tax increment**  
35 **financing project.**

36

37 **Upon the completion of the act specified under subdivision (6) of this subsection, the legal**  
38 **existence of the tax increment financing project shall cease.**

39           **4. If the tax increment financing project has any outstanding claims or causes of**  
40 **action pending against the tax increment financing project or in receivership or under the**  
41 **jurisdiction of the bankruptcy court, the commission shall satisfy subdivisions (1) to (4) of**  
42 **subsection 3 of this section but not subdivisions (5) or (6) of subsection 3 of this section**  
43 **until such pending actions are resolved.**

**238.276. 1. No district created after August 28, 2018, shall exist for longer than ten**  
2 **years without reauthorization from registered voters, except while the district is liable for**  
3 **outstanding bonds. If the district has no outstanding bonds, every ten years the question**  
4 **of whether to reauthorize the district shall be submitted to voters. The question shall be**  
5 **submitted in substantially the following form:**

6           **Shall the \_\_\_\_\_ Transportation Development District be abolished?**

7            **Yes**    **No**

8

9 **If a majority of registered voters voting thereon are against abolishment, the district shall**  
10 **continue. If a majority of registered voters voting thereon are for abolishment, the board**  
11 **shall dissolve the district under this section.**

12 **2. Upon a vote in favor of abolishment, the state auditor shall audit the district to**  
13 **determine its financial status.**

14 **3. To dissolve a district, its board shall:**

15 **(1) Transfer ownership and control of the project to the commission or a local**  
16 **transportation authority, which shall be responsible for all future maintenance costs**  
17 **pursuant to contract;**

18 **(2) Sell any remaining district real or personal property. The board shall then use**  
19 **the proceeds and any liquid assets in the following order:**

20 **(a) Satisfy any outstanding liabilities;**

21 **(b) If the district has any pending action described under subsection 4 of this**  
22 **section against it, place an amount reasonably expected to satisfy such claim or cause of**  
23 **action in escrow;**

24 **(c) Transfer a reasonable sum for maintenance costs to the commission or the**  
25 **appropriate local transportation authority assuming maintenance and control of the**  
26 **project; and**

27 **(d) Deposit the remainder, if any, into the general revenue fund established under**  
28 **section 33.543;**

29 **(3) Terminate the employment of district employees;**

30 **(4) Otherwise conclude its affairs;**

31 **(5) At a public meeting of the district, declare by a majority vote that the district**  
32 **is dissolved effective that date; and**

33 **(6) Cause copies of that resolution under seal to be filed with the secretary of state,**  
34 **the director of revenue, the commission, and each local transportation authority affected**  
35 **by the district.**

36

37 **Upon the completion of the act specified under subdivision (6) of this subsection, the legal**  
38 **existence of the district shall cease.**

39 **4. If the district has any outstanding claims or causes of action pending against the**  
40 **district or in receivership or under the jurisdiction of the bankruptcy court, the board shall**  
41 **satisfy subdivisions (1) to (4) of subsection 3 of this section but not subdivisions (5) or (6)**  
42 **of subsection 3 of this section until such pending actions are resolved.**

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