

FIRST REGULAR SESSION

# HOUSE BILL NO. 31

100TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE STACY.

0554H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 99.825 and 99.845, RSMo, and to enact in lieu thereof two new sections relating to tax increment financing districts.

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

Section A. Sections 99.825 and 99.845, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 99.825 and 99.845, to read as follows:

99.825. 1. **(1)** Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project.

**(2)** At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; provided, if the commission is created under ~~subsection 3-01~~ **[subsection 3-01]** section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission.

**(3)** Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district

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.

18 is given written notice of such changes at least seven days prior to the conclusion of the hearing.  
19 After the public hearing but prior to the adoption of an ordinance approving a redevelopment  
20 plan or redevelopment project, or designating a redevelopment area, changes may be made to the  
21 redevelopment plan, redevelopment projects or redevelopment areas without a further hearing,  
22 if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and  
23 do not substantially affect the general land uses established in the redevelopment plan or  
24 substantially change the nature of the redevelopment projects, provided that notice of such  
25 changes shall be given by mail to each affected taxing district and by publication in a newspaper  
26 of general circulation in the area of the proposed redevelopment not less than ten days prior to  
27 the adoption of the changes by ordinance.

28 (4) After the adoption of an ordinance approving a redevelopment plan or redevelopment  
29 project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior  
30 boundaries, affecting the general land uses established pursuant to the redevelopment plan or  
31 changing the nature of the redevelopment project without complying with the procedures  
32 provided in this section pertaining to the initial approval of a redevelopment plan or  
33 redevelopment project and designation of a redevelopment area.

34 (5) **Within ten days of the adoption of an ordinance approving a redevelopment**  
35 **plan or redevelopment project or designating a redevelopment area, the commission**  
36 **created under section 99.820 shall notify each board or body that oversees a taxing district**  
37 **that is partially or wholly located within the redevelopment area of the approval of the**  
38 **ordinance.**

39 (6) Hearings with regard to a redevelopment project, redevelopment area, or  
40 redevelopment plan may be held simultaneously.

41 (7) **Notwithstanding any other provision of law to the contrary, in addition to a**  
42 **public hearing, the governing body of a city, town, or village shall, for a thirty-day period,**  
43 **establish a forum for the public to comment on the proposed district. The forum may be**  
44 **digital, physical, or both. Comments shall be recorded and delivered to the governing body**  
45 **before the governing body votes on the proposed district.**

46 (8) **A city, town, or village shall post the following information on its official website**  
47 **accessible by the public and, during the thirty-day comment period, on conspicuous signs**  
48 **located throughout the redevelopment area:**

49 (a) **The boundaries of the proposed district by street location, or other readily**  
50 **identifiable means if no street location exists, and a map illustrating the proposed**  
51 **boundaries;**

52 (b) **The date, time, and place of the public hearing;**

53           **(c) A statement that a copy of the petition is available for review at the office of the**  
54 **municipal clerk during regular business hours; and**

55           **(d) A statement that all interested persons shall be given an opportunity to be heard**  
56 **at the public hearing.**

57

58 **If a city, town, or village does not have an official website, it shall make the above**  
59 **information reasonably available in its most prominent building of governance.**

60           2. If, after concluding the hearing required under this section, the commission makes a  
61 recommendation under section 99.820 in opposition to a proposed redevelopment plan,  
62 redevelopment project, or designation of a redevelopment area, or any amendments thereto, a  
63 municipality desiring to approve such project, plan, designation, or amendments shall do so only  
64 upon a two-thirds majority vote of the governing body of such municipality. For plans, projects,  
65 designations, or amendments approved by a municipality over the recommendation in opposition  
66 by the commission formed under ~~[subsection 3 of]~~ section 99.820, the economic activity taxes  
67 and payments in lieu of taxes generated by such plan, project, designation, or amendment shall  
68 be restricted to paying only those redevelopment project costs contained in subparagraphs b. and  
69 c. of paragraph (c) of subdivision (15) of section 99.805 per redevelopment project.

70           3. Tax incremental financing projects within an economic development area shall apply  
71 to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers,  
72 traffic control systems and devices, water distribution and supply systems, curbing, sidewalks  
73 and any other similar public improvements, but in no case shall it include buildings.

99.845. 1. A municipality, either at the time a redevelopment project is approved or, in  
2 the event a municipality has undertaken acts establishing a redevelopment plan and  
3 redevelopment project and has designated a redevelopment area after the passage and approval  
4 of sections 99.800 to 99.865 but prior to August 13, 1982, which acts are in conformance with  
5 the procedures of sections 99.800 to 99.865, may adopt tax increment allocation financing by  
6 passing an ordinance providing that after the total equalized assessed valuation of the taxable real  
7 property in a redevelopment project exceeds the certified total initial equalized assessed  
8 valuation of the taxable real property in the redevelopment project, the ad valorem taxes, and  
9 payments in lieu of taxes, if any, arising from the levies upon taxable real property in such  
10 redevelopment project by taxing districts and tax rates determined in the manner provided in  
11 subsection 2 of section 99.855 each year after the effective date of the ordinance until  
12 redevelopment costs have been paid shall be divided as follows:

13           (1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract,  
14 or parcel of real property which is attributable to the initial equalized assessed value of each such  
15 taxable lot, block, tract, or parcel of real property in the area selected for the redevelopment

16 project shall be allocated to and, when collected, shall be paid by the county collector to the  
17 respective affected taxing districts in the manner required by law in the absence of the adoption  
18 of tax increment allocation financing;

19 (2) (a) Payments in lieu of taxes attributable to the increase in the current equalized  
20 assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected  
21 for the redevelopment project and any applicable penalty and interest over and above the initial  
22 equalized assessed value of each such unit of property in the area selected for the redevelopment  
23 project shall be allocated to and, when collected, shall be paid to the municipal treasurer who  
24 shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation  
25 Fund" of the municipality for the purpose of paying redevelopment costs and obligations  
26 incurred in the payment thereof. Beginning August 28, 2014, if the voters in a taxing district  
27 vote to approve an increase in such taxing district's levy rate for ad valorem tax on real property,  
28 any additional revenues generated within an existing redevelopment project area that are directly  
29 attributable to the newly voter-approved incremental increase in such taxing district's levy rate  
30 shall not be considered payments in lieu of taxes subject to deposit into a special allocation fund  
31 without the consent of such taxing district. Revenues will be considered directly attributable to  
32 the newly voter-approved incremental increase to the extent that they are generated from the  
33 difference between the taxing district's actual levy rate currently imposed and the maximum  
34 voter-approved levy rate at the time that the redevelopment project was adopted. Payments in  
35 lieu of taxes which are due and owing shall constitute a lien against the real estate of the  
36 redevelopment project from which they are derived and shall be collected in the same manner  
37 as the real property tax, including the assessment of penalties and interest where applicable. The  
38 municipality may, in the ordinance, pledge the funds in the special allocation fund for the  
39 payment of such costs and obligations and provide for the collection of payments in lieu of taxes,  
40 the lien of which may be foreclosed in the same manner as a special assessment lien as provided  
41 in section 88.861. No part of the current equalized assessed valuation of each lot, block, tract,  
42 or parcel of property in the area selected for the redevelopment project attributable to any  
43 increase above the total initial equalized assessed value of such properties shall be used in  
44 calculating the general state school aid formula provided for in section 163.031 until such time  
45 as all redevelopment costs have been paid as provided for in this section and section 99.850.

46 (b) Notwithstanding any provisions of this section to the contrary, for purposes of  
47 determining the limitation on indebtedness of local government pursuant to Article VI, Section  
48 26(b) of the Missouri Constitution, the current equalized assessed value of the property in an area  
49 selected for redevelopment attributable to the increase above the total initial equalized assessed  
50 valuation shall be included in the value of taxable tangible property as shown on the last  
51 completed assessment for state or county purposes.

52 (c) The county assessor shall include the current assessed value of all property within  
53 the taxing district in the aggregate valuation of assessed property entered upon the assessor's  
54 book and verified pursuant to section 137.245, and such value shall be utilized for the purpose  
55 of the debt limitation on local government pursuant to Article VI, Section 26(b) of the Missouri  
56 Constitution;

57 (3) For purposes of this section, "levies upon taxable real property in such  
58 redevelopment project by taxing districts" shall not include the blind pension fund tax levied  
59 under the authority of Article III, Section 38(b) of the Missouri Constitution, or the merchants'  
60 and manufacturers' inventory replacement tax levied under the authority of subsection 2 of  
61 Section 6 of Article X of the Missouri Constitution, except in redevelopment project areas in  
62 which tax increment financing has been adopted by ordinance pursuant to a plan approved by  
63 vote of the governing body of the municipality taken after August 13, 1982, and before January  
64 1, 1998;

65 (4) **The board or body that oversees a taxing district, as that term is defined under**  
66 **section 99.805, may elect to have fifty percent of the property or sales taxes levied by such**  
67 **district excluded from a tax increment allocation financing project or plan by passing a**  
68 **resolution by two-thirds majority no later than sixty days after the project or plan is**  
69 **adopted or approved by ordinance. The vote may occur before the ordinance is adopted.**  
70 **At least ten days prior to the vote on the resolution, the board shall post notice of and hold**  
71 **a public hearing. If the resolution passes, the board shall notify the director of revenue,**  
72 **the county collector, and every other taxing district in the redevelopment area. If the**  
73 **resolution passes, subdivision (2) of this subsection shall not apply to fifty percent of the**  
74 **tax levied by the taxing district, and fifty percent of the revenue from such tax shall be**  
75 **allocated to the district and shall not be allocated to redevelopment costs and obligations;**  
76 **and**

77 (5) **A school board of a school district may elect to have fifty percent of the portion**  
78 **of property tax revenue allocated to the school district by a county or municipality**  
79 **excluded from a tax increment allocation financing project or plan by passing a resolution**  
80 **by two-thirds majority no later than sixty days after the project or plan is adopted or**  
81 **approved by ordinance. The vote may occur before the ordinance is adopted. At least ten**  
82 **days prior to the vote on the resolution, the board shall post notice of and hold a public**  
83 **hearing. If the resolution passes, the board shall notify the director of revenue, the county**  
84 **collector, and every other taxing district in the redevelopment area. If the resolution**  
85 **passes, subdivision (2) of this subsection shall not apply to fifty percent of the percentage**  
86 **of property tax revenue equal to the average percentage of property tax revenue allocated**  
87 **to the school district over the preceding five years, and such percentage of revenue**

88 **attributable to the increase in the current equalized assessed valuation of each taxable lot,**  
89 **block, tract, or parcel of real property within the redevelopment project area shall be**  
90 **allocated to the school district and shall not be allocated to redevelopment costs and**  
91 **obligations.**

92         2. In addition to the payments in lieu of taxes described in subdivision (2) of subsection  
93 1 of this section, for redevelopment plans and projects adopted or redevelopment projects  
94 approved by ordinance after July 12, 1990, and prior to August 31, 1991, fifty percent of the total  
95 additional revenue from taxes, penalties and interest imposed by the municipality, or other taxing  
96 districts, which are generated by economic activities within the area of the redevelopment project  
97 over the amount of such taxes generated by economic activities within the area of the  
98 redevelopment project in the calendar year prior to the adoption of the redevelopment project by  
99 ordinance, while tax increment financing remains in effect, but excluding taxes imposed on sales  
100 or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant  
101 to section 70.500, licenses, fees or special assessments other than payments in lieu of taxes and  
102 any penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant to section  
103 94.660, for the purpose of public transportation, shall be allocated to, and paid by the local  
104 political subdivision collecting officer to the treasurer or other designated financial officer of the  
105 municipality, who shall deposit such funds in a separate segregated account within the special  
106 allocation fund. Any provision of an agreement, contract or covenant entered into prior to July  
107 12, 1990, between a municipality and any other political subdivision which provides for an  
108 appropriation of other municipal revenues to the special allocation fund shall be and remain  
109 enforceable.

110         3. In addition to the payments in lieu of taxes described in subdivision (2) of subsection  
111 1 of this section, for redevelopment plans and projects adopted or redevelopment projects  
112 approved by ordinance after August 31, 1991, fifty percent of the total additional revenue from  
113 taxes, penalties and interest which are imposed by the municipality or other taxing districts, and  
114 which are generated by economic activities within the area of the redevelopment project over the  
115 amount of such taxes generated by economic activities within the area of the redevelopment  
116 project in the calendar year prior to the adoption of the redevelopment project by ordinance,  
117 while tax increment financing remains in effect, but excluding personal property taxes, taxes  
118 imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels,  
119 taxes levied pursuant to section 70.500, taxes levied for the purpose of public transportation  
120 pursuant to section 94.660, taxes imposed on sales pursuant to subsection 2 of section 67.1712  
121 for the purpose of operating and maintaining a metropolitan park and recreation district, licenses,  
122 fees or special assessments other than payments in lieu of taxes and penalties and interest  
123 thereon, any sales tax imposed by a county with a charter form of government and with more

124 than six hundred thousand but fewer than seven hundred thousand inhabitants, for the purpose  
125 of sports stadium improvement or levied by such county under section 238.410 for the purpose  
126 of the county transit authority operating transportation facilities, or for redevelopment plans and  
127 projects adopted or redevelopment projects approved by ordinance after August 28, 2013, taxes  
128 imposed on sales under and pursuant to section 67.700 or 650.399 for the purpose of emergency  
129 communication systems, shall be allocated to, and paid by the local political subdivision  
130 collecting officer to the treasurer or other designated financial officer of the municipality, who  
131 shall deposit such funds in a separate segregated account within the special allocation fund.  
132 Beginning August 28, 2014, if the voters in a taxing district vote to approve an increase in such  
133 taxing district's sales tax or use tax, other than the renewal of an expiring sales or use tax, any  
134 additional revenues generated within an existing redevelopment project area that are directly  
135 attributable to the newly voter-approved incremental increase in such taxing district's levy rate  
136 shall not be considered economic activity taxes subject to deposit into a special allocation fund  
137 without the consent of such taxing district.

138 4. Beginning January 1, 1998, for redevelopment plans and projects adopted or  
139 redevelopment projects approved by ordinance and which have complied with subsections 4 to  
140 12 of this section, in addition to the payments in lieu of taxes and economic activity taxes  
141 described in subsections 1, 2 and 3 of this section, up to fifty percent of the new state revenues,  
142 as defined in subsection 8 of this section, estimated for the businesses within the project area and  
143 identified by the municipality in the application required by subsection 10 of this section, over  
144 and above the amount of such taxes reported by businesses within the project area as identified  
145 by the municipality in their application prior to the approval of the redevelopment project by  
146 ordinance, while tax increment financing remains in effect, may be available for appropriation  
147 by the general assembly as provided in subsection 10 of this section to the department of  
148 economic development supplemental tax increment financing fund, from the general revenue  
149 fund, for distribution to the treasurer or other designated financial officer of the municipality  
150 with approved plans or projects.

151 5. The treasurer or other designated financial officer of the municipality with approved  
152 plans or projects shall deposit such funds in a separate segregated account within the special  
153 allocation fund established pursuant to section 99.805.

154 6. No transfer from the general revenue fund to the Missouri supplemental tax increment  
155 financing fund shall be made unless an appropriation is made from the general revenue fund for  
156 that purpose. No municipality shall commit any state revenues prior to an appropriation being  
157 made for that project. For all redevelopment plans or projects adopted or approved after  
158 December 23, 1997, appropriations from the new state revenues shall not be distributed from the  
159 Missouri supplemental tax increment financing fund into the special allocation fund unless the

160 municipality's redevelopment plan ensures that one hundred percent of payments in lieu of taxes  
161 and fifty percent of economic activity taxes generated by the project shall be used for eligible  
162 redevelopment project costs while tax increment financing remains in effect. This account shall  
163 be separate from the account into which payments in lieu of taxes are deposited, and separate  
164 from the account into which economic activity taxes are deposited.

165 7. In order for the redevelopment plan or project to be eligible to receive the revenue  
166 described in subsection 4 of this section, the municipality shall comply with the requirements of  
167 subsection 10 of this section prior to the time the project or plan is adopted or approved by  
168 ordinance. The director of the department of economic development and the commissioner of  
169 the office of administration may waive the requirement that the municipality's application be  
170 submitted prior to the redevelopment plan's or project's adoption or the redevelopment plan's  
171 or project's approval by ordinance.

172 8. For purposes of this section, "new state revenues" means:

173 (1) The incremental increase in the general revenue portion of state sales tax revenues  
174 received pursuant to section 144.020, excluding sales taxes that are constitutionally dedicated,  
175 taxes deposited to the school district trust fund in accordance with section 144.701, sales and use  
176 taxes on motor vehicles, trailers, boats and outboard motors and future sales taxes earmarked by  
177 law. In no event shall the incremental increase include any amounts attributable to retail sales  
178 unless the municipality or authority has proven to the Missouri development finance board and  
179 the department of economic development and such entities have made a finding that the sales  
180 tax increment attributable to retail sales is from new sources which did not exist in the state  
181 during the baseline year. The incremental increase in the general revenue portion of state sales  
182 tax revenues for an existing or relocated facility shall be the amount that current state sales tax  
183 revenue exceeds the state sales tax revenue in the base year as stated in the redevelopment plan  
184 as provided in subsection 10 of this section; or

185 (2) The state income tax withheld on behalf of new employees by the employer pursuant  
186 to section 143.221 at the business located within the project as identified by the municipality.  
187 The state income tax withholding allowed by this section shall be the municipality's estimate of  
188 the amount of state income tax withheld by the employer within the redevelopment area for new  
189 employees who fill new jobs directly created by the tax increment financing project.

190 9. Subsection 4 of this section shall apply only to the following:

191 (1) Blighted areas located in enterprise zones, pursuant to sections 135.200 to 135.256,  
192 blighted areas located in federal empowerment zones, or to blighted areas located in central  
193 business districts or urban core areas of cities which districts or urban core areas at the time of  
194 approval of the project by ordinance, provided that the enterprise zones, federal empowerment  
195 zones or blighted areas contained one or more buildings at least fifty years old; and

196 (a) Suffered from generally declining population or property taxes over the twenty-year  
197 period immediately preceding the area's designation as a project area by ordinance; or

198 (b) Was a historic hotel located in a county of the first classification without a charter  
199 form of government with a population according to the most recent federal decennial census in  
200 excess of one hundred fifty thousand and containing a portion of a city with a population  
201 according to the most recent federal decennial census in excess of three hundred fifty thousand;

202 (2) Blighted areas consisting solely of the site of a former automobile manufacturing  
203 plant located in any county with a charter form of government and with more than nine hundred  
204 fifty thousand inhabitants. For the purposes of this section, "former automobile manufacturing  
205 plant" means a redevelopment area containing a minimum of one hundred acres, and such  
206 redevelopment area was previously used primarily for the manufacture of automobiles but ceased  
207 such manufacturing after the 2007 calendar year; or

208 (3) Blighted areas consisting solely of the site of a former insurance company national  
209 service center containing a minimum of one hundred acres located in any county with a charter  
210 form of government and with more than nine hundred fifty thousand inhabitants.

211 10. The initial appropriation of up to fifty percent of the new state revenues authorized  
212 pursuant to subsection 4 of this section shall not be made to or distributed by the department of  
213 economic development to a municipality until all of the following conditions have been satisfied:

214 (1) The director of the department of economic development or his or her designee and  
215 the commissioner of the office of administration or his or her designee have approved a tax  
216 increment financing application made by the municipality for the appropriation of the new state  
217 revenues. The municipality shall include in the application the following items in addition to the  
218 items in section 99.810:

219 (a) The tax increment financing district or redevelopment area, including the businesses  
220 identified within the redevelopment area;

221 (b) The base year of state sales tax revenues or the base year of state income tax withheld  
222 on behalf of existing employees, reported by existing businesses within the project area prior to  
223 approval of the redevelopment project;

224 (c) The estimate of the incremental increase in the general revenue portion of state sales  
225 tax revenue or the estimate for the state income tax withheld by the employer on behalf of new  
226 employees expected to fill new jobs created within the redevelopment area after redevelopment;

227 (d) The official statement of any bond issue pursuant to this subsection after December  
228 23, 1997;

229 (e) An affidavit that is signed by the developer or developers attesting that the provisions  
230 of subdivision (1) of subsection 1 of section 99.810 have been met and specifying that the

231 redevelopment area would not be reasonably anticipated to be developed without the  
232 appropriation of the new state revenues;

233 (f) The cost-benefit analysis required by section 99.810 includes a study of the fiscal  
234 impact on the state of Missouri;

235 (g) The statement of election between the use of the incremental increase of the general  
236 revenue portion of the state sales tax revenues or the state income tax withheld by employers on  
237 behalf of new employees who fill new jobs created in the redevelopment area;

238 (h) The name, street and mailing address, and phone number of the mayor or chief  
239 executive officer of the municipality;

240 (i) The street address of the development site;

241 (j) The three-digit North American Industry Classification System number or numbers  
242 characterizing the development project;

243 (k) The estimated development project costs;

244 (l) The anticipated sources of funds to pay such development project costs;

245 (m) Evidence of the commitments to finance such development project costs;

246 (n) The anticipated type and term of the sources of funds to pay such development  
247 project costs;

248 (o) The anticipated type and terms of the obligations to be issued;

249 (p) The most recent equalized assessed valuation of the property within the development  
250 project area;

251 (q) An estimate as to the equalized assessed valuation after the development project area  
252 is developed in accordance with a development plan;

253 (r) The general land uses to apply in the development area;

254 (s) The total number of individuals employed in the development area, broken down by  
255 full-time, part-time, and temporary positions;

256 (t) The total number of full-time equivalent positions in the development area;

257 (u) The current gross wages, state income tax withholdings, and federal income tax  
258 withholdings for individuals employed in the development area;

259 (v) The total number of individuals employed in this state by the corporate parent of any  
260 business benefitting from public expenditures in the development area, and all subsidiaries  
261 thereof, as of December thirty-first of the prior fiscal year, broken down by full-time, part-time,  
262 and temporary positions;

263 (w) The number of new jobs to be created by any business benefitting from public  
264 expenditures in the development area, broken down by full-time, part-time, and temporary  
265 positions;

266 (x) The average hourly wage to be paid to all current and new employees at the project  
267 site, broken down by full-time, part-time, and temporary positions;

268 (y) For project sites located in a metropolitan statistical area, as defined by the federal  
269 Office of Management and Budget, the average hourly wage paid to nonmanagerial employees  
270 in this state for the industries involved at the project, as established by the United States Bureau  
271 of Labor Statistics;

272 (z) For project sites located outside of metropolitan statistical areas, the average weekly  
273 wage paid to nonmanagerial employees in the county for industries involved at the project, as  
274 established by the United States Department of Commerce;

275 (aa) A list of other community and economic benefits to result from the project;

276 (bb) A list of all development subsidies that any business benefitting from public  
277 expenditures in the development area has previously received for the project, and the name of  
278 any other granting body from which such subsidies are sought;

279 (cc) A list of all other public investments made or to be made by this state or units of  
280 local government to support infrastructure or other needs generated by the project for which the  
281 funding pursuant to this section is being sought;

282 (dd) A statement as to whether the development project may reduce employment at any  
283 other site, within or without the state, resulting from automation, merger, acquisition, corporate  
284 restructuring, relocation, or other business activity;

285 (ee) A statement as to whether or not the project involves the relocation of work from  
286 another address and if so, the number of jobs to be relocated and the address from which they  
287 are to be relocated;

288 (ff) A list of competing businesses in the county containing the development area and  
289 in each contiguous county;

290 (gg) A market study for the development area;

291 (hh) A certification by the chief officer of the applicant as to the accuracy of the  
292 development plan;

293 (2) The methodologies used in the application for determining the base year and  
294 determining the estimate of the incremental increase in the general revenue portion of the state  
295 sales tax revenues or the state income tax withheld by employers on behalf of new employees  
296 who fill new jobs created in the redevelopment area shall be approved by the director of the  
297 department of economic development or his or her designee and the commissioner of the office  
298 of administration or his or her designee. Upon approval of the application, the director of the  
299 department of economic development or his or her designee and the commissioner of the office  
300 of administration or his or her designee shall issue a certificate of approval. The department of  
301 economic development may request the appropriation following application approval;

302 (3) The appropriation shall be either a portion of the estimate of the incremental increase  
303 in the general revenue portion of state sales tax revenues in the redevelopment area or a portion  
304 of the estimate of the state income tax withheld by the employer on behalf of new employees  
305 who fill new jobs created in the redevelopment area as indicated in the municipality's  
306 application, approved by the director of the department of economic development or his or her  
307 designee and the commissioner of the office of administration or his or her designee. At no time  
308 shall the annual amount of the new state revenues approved for disbursements from the Missouri  
309 supplemental tax increment financing fund for redevelopment projects approved prior to August  
310 28, 2018, exceed thirty-two million dollars; provided, however, that such thirty-two million  
311 dollar cap shall not apply to redevelopment plans or projects initially listed by name in the  
312 applicable appropriations bill after August 28, 2015, which involve:

313 (a) A former automobile manufacturing plant;

314 (b) The retention of a federal employer employing over two thousand geospatial  
315 intelligence jobs; or

316 (c) A health information technology employer employing over seven thousand  
317 employees in the state of Missouri and which is estimated to create in excess of fifteen thousand  
318 new jobs with an average annual wage of more than seventy-five thousand dollars.

319

320 At no time shall the annual amount of the new state revenues for disbursements from the  
321 Missouri supplemental tax increment financing fund for redevelopment plans and projects  
322 eligible under the provisions of paragraph (a) of this subdivision exceed four million dollars in  
323 the aggregate. At no time shall the annual amount of the new state revenues for disbursements  
324 from the Missouri supplemental tax increment financing fund for redevelopment plans and  
325 projects eligible under the provisions of paragraph (b) of this subdivision exceed twelve million  
326 dollars in the aggregate. To the extent a redevelopment plan or project independently meets the  
327 eligibility criteria set forth in both paragraphs (a) and (b) of this subdivision, then at no such time  
328 shall the annual amount of new state revenues for disbursements from the Missouri supplemental  
329 tax increment financing fund for such eligible redevelopment plan or project exceed twelve  
330 million dollars in the aggregate;

331 (4) At no time shall the annual amount of the new state revenues approved for  
332 disbursements from the Missouri supplemental tax increment financing fund for redevelopment  
333 plans or projects approved on or after August 28, 2018, and before August 28, 2028, be increased  
334 by or exceed ten million dollars. Any individual redevelopment plan or project approved prior  
335 to August 28, 2018, which is expanded with buildings of new construction shall not be increased  
336 by more than three million dollars annually in excess of the original previously approved  
337 maximum annual projected amount. At no time shall the annual amount of the new state

338 revenues approved for disbursements from the Missouri supplemental tax increment financing  
339 fund for redevelopment plans or projects approved on or after August 28, 2028, exceed twenty  
340 million dollars; provided, however, that such ceilings shall not apply to redevelopment plans or  
341 projects exempted from such ceilings under subdivision (3) of this subsection. For all  
342 redevelopment plans or projects initially approved on or after August 28, 2018, at no time shall  
343 a single redevelopment plan or project within such redevelopment plan receive an appropriation  
344 under this section that exceeds three million dollars annually;

345 (5) Redevelopment plans and projects receiving new state revenues shall have a duration  
346 of up to fifteen years, unless prior approval for a longer term is given by the director of the  
347 department of economic development or his or her designee and the commissioner of the office  
348 of administration or his or her designee; except that, in no case shall the duration exceed  
349 twenty-three years.

350 11. In addition to the areas authorized in subsection 9 of this section, the funding  
351 authorized pursuant to subsection 4 of this section shall also be available in a federally approved  
352 levee district, where construction of a levee begins after December 23, 1997, and which is  
353 contained within a county of the first classification without a charter form of government with  
354 a population between fifty thousand and one hundred thousand inhabitants which contains all  
355 or part of a city with a population in excess of four hundred thousand or more inhabitants.

356 12. There is hereby established within the state treasury a special fund to be known as  
357 the "Missouri Supplemental Tax Increment Financing Fund", to be administered by the  
358 department of economic development. The department shall annually distribute from the  
359 Missouri supplemental tax increment financing fund the amount of the new state revenues as  
360 appropriated as provided in the provisions of subsection 4 of this section if and only if the  
361 conditions of subsection 10 of this section are met. The fund shall also consist of any gifts,  
362 contributions, grants or bequests received from federal, private or other sources. Moneys in the  
363 Missouri supplemental tax increment financing fund shall be disbursed per project pursuant to  
364 state appropriations.

365 13. Redevelopment project costs may include, at the prerogative of the state, the portion  
366 of salaries and expenses of the department of economic development and the department of  
367 revenue reasonably allocable to each redevelopment project approved for disbursements from  
368 the Missouri supplemental tax increment financing fund for the ongoing administrative functions  
369 associated with such redevelopment project. Such amounts shall be recovered from new state  
370 revenues deposited into the Missouri supplemental tax increment financing fund created under  
371 this section.

372 14. For redevelopment plans or projects approved by ordinance that result in net new  
373 jobs from the relocation of a national headquarters from another state to the area of the

374 redevelopment project, the economic activity taxes and new state tax revenues shall not be based  
375 on a calculation of the incremental increase in taxes as compared to the base year or prior  
376 calendar year for such redevelopment project, rather the incremental increase shall be the amount  
377 of total taxes generated from the net new jobs brought in by the national headquarters from  
378 another state. In no event shall this subsection be construed to allow a redevelopment project  
379 to receive an appropriation in excess of up to fifty percent of the new state revenues.

380 15. Notwithstanding any other provision of the law to the contrary, the adoption of any  
381 tax increment financing authorized under sections 99.800 to 99.865 shall not supersede, alter,  
382 or reduce in any way a property tax levied under section 205.971.

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