

SECOND REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
CONFERENCE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR

# SENATE BILL NO. 769

96TH GENERAL ASSEMBLY  
2012

5671S.09T

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## AN ACT

To repeal sections 99.845, 135.215, and 135.963, RSMo, and to enact in lieu thereof six new sections relating to state and local standards, with a penalty provision.

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

Section A. Sections 99.845, 135.215, and 135.963, RSMo, are repealed and  
2 six new sections enacted in lieu thereof, to be known as sections 99.845, 135.215,  
3 135.963, 321.228, 701.550, and 1, to read as follows:

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

15 (1) That portion of taxes, penalties and interest levied upon each taxable  
16 lot, block, tract, or parcel of real property which is attributable to the initial  
17 equalized assessed value of each such taxable lot, block, tract, or parcel of real

18 property in the area selected for the redevelopment project shall be allocated to  
19 and, when collected, shall be paid by the county collector to the respective  
20 affected taxing districts in the manner required by law in the absence of the  
21 adoption of tax increment allocation financing;

22 (2) (a) Payments in lieu of taxes attributable to the increase in the  
23 current equalized assessed valuation of each taxable lot, block, tract, or parcel of  
24 real property in the area selected for the redevelopment project and any  
25 applicable penalty and interest over and above the initial equalized assessed  
26 value of each such unit of property in the area selected for the redevelopment  
27 project shall be allocated to and, when collected, shall be paid to the municipal  
28 treasurer who shall deposit such payment in lieu of taxes into a special fund  
29 called the "Special Allocation Fund" of the municipality for the purpose of paying  
30 redevelopment costs and obligations incurred in the payment thereof. Payments  
31 in lieu of taxes which are due and owing shall constitute a lien against the real  
32 estate of the redevelopment project from which they are derived and shall be  
33 collected in the same manner as the real property tax, including the assessment  
34 of penalties and interest where applicable. The municipality may, in the  
35 ordinance, pledge the funds in the special allocation fund for the payment of such  
36 costs and obligations and provide for the collection of payments in lieu of taxes,  
37 the lien of which may be foreclosed in the same manner as a special assessment  
38 lien as provided in section 88.861. No part of the current equalized assessed  
39 valuation of each lot, block, tract, or parcel of property in the area selected for the  
40 redevelopment project attributable to any increase above the total initial  
41 equalized assessed value of such properties shall be used in calculating the  
42 general state school aid formula provided for in section 163.031 until such time  
43 as all redevelopment costs have been paid as provided for in this section and  
44 section 99.850;

45 (b) Notwithstanding any provisions of this section to the contrary, for  
46 purposes of determining the limitation on indebtedness of local government  
47 pursuant to article VI, section 26(b) of the Missouri Constitution, the current  
48 equalized assessed value of the property in an area selected for redevelopment  
49 attributable to the increase above the total initial equalized assessed valuation  
50 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  
53 property within the taxing district in the aggregate valuation of assessed property

54 entered upon the assessor's book and verified pursuant to section 137.245, and  
55 such value shall be utilized for the purpose of the debt limitation on local  
56 government pursuant to article VI, section 26(b) of the Missouri 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  
59 tax levied under the authority of article III, section 38(b) of the Missouri  
60 Constitution, or the merchants' and manufacturers' inventory replacement tax  
61 levied under the authority of subsection 2 of section 6 of article X of the Missouri  
62 Constitution, except in redevelopment project areas in which tax increment  
63 financing has been adopted by ordinance pursuant to a plan approved by vote of  
64 the governing body of the municipality taken after August 13, 1982, and before  
65 January 1, 1998.

66 2. In addition to the payments in lieu of taxes described in subdivision (2)  
67 of subsection 1 of this section, for redevelopment plans and projects adopted or  
68 redevelopment projects approved by ordinance after July 12, 1990, and prior to  
69 August 31, 1991, fifty percent of the total additional revenue from taxes, penalties  
70 and interest imposed by the municipality, or other taxing districts, which are  
71 generated by economic activities within the area of the redevelopment project over  
72 the amount of such taxes generated by economic activities within the area of the  
73 redevelopment project in the calendar year prior to the adoption of the  
74 redevelopment project by ordinance, while tax increment financing remains in  
75 effect, but excluding taxes imposed on sales or charges for sleeping rooms paid by  
76 transient guests of hotels and motels, taxes levied pursuant to section 70.500,  
77 licenses, fees or special assessments other than payments in lieu of taxes and any  
78 penalty and interest thereon, or, effective January 1, 1998, taxes levied pursuant  
79 to section 94.660, for the purpose of public transportation, shall be allocated to,  
80 and paid by the local political subdivision collecting officer to the treasurer or  
81 other designated financial officer of the municipality, who shall deposit such  
82 funds in a separate segregated account within the special allocation fund. Any  
83 provision of an agreement, contract or covenant entered into prior to July 12,  
84 1990, between a municipality and any other political subdivision which provides  
85 for an appropriation of other municipal revenues to the special allocation fund  
86 shall be and remain enforceable.

87 3. In addition to the payments in lieu of taxes described in subdivision (2)  
88 of subsection 1 of this section, for redevelopment plans and projects adopted or  
89 redevelopment projects approved by ordinance after August 31, 1991, fifty percent

90 of the total additional revenue from taxes, penalties and interest which are  
91 imposed by the municipality or other taxing districts, and which are generated  
92 by economic activities within the area of the redevelopment project over the  
93 amount of such taxes generated by economic activities within the area of the  
94 redevelopment project in the calendar year prior to the adoption of the  
95 redevelopment project by ordinance, while tax increment financing remains in  
96 effect, but excluding personal property taxes, taxes imposed on sales or charges  
97 for sleeping rooms paid by transient guests of hotels and motels, taxes levied  
98 pursuant to section 70.500, taxes levied for the purpose of public transportation  
99 pursuant to section 94.660, licenses, fees or special assessments other than  
100 payments in lieu of taxes and penalties and interest thereon, or any sales tax  
101 imposed by a county with a charter form of government and with more than six  
102 hundred thousand but fewer than seven hundred thousand inhabitants, for the  
103 purpose of sports stadium improvement **or levied by such county under**  
104 **section 238.410 for the purpose of the county transit authority**  
105 **operating transportation facilities**, shall be allocated to, and paid by the  
106 local political subdivision collecting officer to the treasurer or other designated  
107 financial officer of the municipality, who shall deposit such funds in a separate  
108 segregated account within the special allocation fund.

109 4. Beginning January 1, 1998, for redevelopment plans and projects  
110 adopted or redevelopment projects approved by ordinance and which have  
111 complied with subsections 4 to 12 of this section, in addition to the payments in  
112 lieu of taxes and economic activity taxes described in subsections 1, 2 and 3 of  
113 this section, up to fifty percent of the new state revenues, as defined in subsection  
114 8 of this section, estimated for the businesses within the project area and  
115 identified by the municipality in the application required by subsection 10 of this  
116 section, over and above the amount of such taxes reported by businesses within  
117 the project area as identified by the municipality in their application prior to the  
118 approval of the redevelopment project by ordinance, while tax increment  
119 financing remains in effect, may be available for appropriation by the general  
120 assembly as provided in subsection 10 of this section to the department of  
121 economic development supplemental tax increment financing fund, from the  
122 general revenue fund, for distribution to the treasurer or other designated  
123 financial officer of the municipality with approved plans or projects.

124 5. The treasurer or other designated financial officer of the municipality  
125 with approved plans or projects shall deposit such funds in a separate segregated

126 account within the special allocation fund established pursuant to section 99.805.

127           6. No transfer from the general revenue fund to the Missouri  
128 supplemental tax increment financing fund shall be made unless an appropriation  
129 is made from the general revenue fund for that purpose. No municipality shall  
130 commit any state revenues prior to an appropriation being made for that  
131 project. For all redevelopment plans or projects adopted or approved after  
132 December 23, 1997, appropriations from the new state revenues shall not be  
133 distributed from the Missouri supplemental tax increment financing fund into the  
134 special allocation fund unless the municipality's redevelopment plan ensures that  
135 one hundred percent of payments in lieu of taxes and fifty percent of economic  
136 activity taxes generated by the project shall be used for eligible redevelopment  
137 project costs while tax increment financing remains in effect. This account shall  
138 be separate from the account into which payments in lieu of taxes are deposited,  
139 and separate from the account into which economic activity taxes are deposited.

140           7. In order for the redevelopment plan or project to be eligible to receive  
141 the revenue described in subsection 4 of this section, the municipality shall  
142 comply with the requirements of subsection 10 of this section prior to the time the  
143 project or plan is adopted or approved by ordinance. The director of the  
144 department of economic development and the commissioner of the office of  
145 administration may waive the requirement that the municipality's application be  
146 submitted prior to the redevelopment plan's or project's adoption or the  
147 redevelopment plan's or project's approval by ordinance.

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

149           (1) The incremental increase in the general revenue portion of state sales  
150 tax revenues received pursuant to section 144.020, excluding sales taxes that are  
151 constitutionally dedicated, taxes deposited to the school district trust fund in  
152 accordance with section 144.701, sales and use taxes on motor vehicles, trailers,  
153 boats and outboard motors and future sales taxes earmarked by law. In no event  
154 shall the incremental increase include any amounts attributable to retail sales  
155 unless the municipality or authority has proven to the Missouri development  
156 finance board and the department of economic development and such entities  
157 have made a finding that the sales tax increment attributable to retail sales is  
158 from new sources which did not exist in the state during the baseline year. The  
159 incremental increase in the general revenue portion of state sales tax revenues  
160 for an existing or relocated facility shall be the amount that current state sales  
161 tax revenue exceeds the state sales tax revenue in the base year as stated in the

162 redevelopment plan as provided in subsection 10 of this section; or

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

169           9. Subsection 4 of this section shall apply only to blighted areas located  
170 in enterprise zones, pursuant to sections 135.200 to 135.256, blighted areas  
171 located in federal empowerment zones, or to blighted areas located in central  
172 business districts or urban core areas of cities which districts or urban core areas  
173 at the time of approval of the project by ordinance, provided that the enterprise  
174 zones, federal empowerment zones or blighted areas contained one or more  
175 buildings at least fifty years old; and

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

179           (2) Was a historic hotel located in a county of the first classification  
180 without a charter form of government with a population according to the most  
181 recent federal decennial census in excess of one hundred fifty thousand and  
182 containing a portion of a city with a population according to the most recent  
183 federal decennial census in excess of three hundred fifty thousand.

184           10. The initial appropriation of up to fifty percent of the new state  
185 revenues authorized pursuant to subsections 4 and 5 of this section shall not be  
186 made to or distributed by the department of economic development to a  
187 municipality until all of the following conditions have been satisfied:

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

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

196           (b) The base year of state sales tax revenues or the base year of state  
197 income tax withheld on behalf of existing employees, reported by existing

198 businesses within the project area prior to approval of the redevelopment project;

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

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

205 (e) An affidavit that is signed by the developer or developers attesting  
206 that the provisions of subdivision (1) of **subsection 1 of** section 99.810 have been  
207 met and specifying that the redevelopment area would not be reasonably  
208 anticipated to be developed without the appropriation of the new state revenues;

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

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

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

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

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

220 (k) The estimated development project costs;

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

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

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

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

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

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

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

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

- 234 (t) The total number of full-time equivalent positions in the development  
235 area;
- 236 (u) The current gross wages, state income tax withholdings, and federal  
237 income tax withholdings for individuals employed in the development area;
- 238 (v) The total number of individuals employed in this state by the  
239 corporate parent of any business benefitting from public expenditures in the  
240 development area, and all subsidiaries thereof, as of December thirty-first of the  
241 prior fiscal year, broken down by full-time, part-time, and temporary positions;
- 242 (w) The number of new jobs to be created by any business benefitting from  
243 public expenditures in the development area, broken down by full-time, part-time,  
244 and temporary positions;
- 245 (x) The average hourly wage to be paid to all current and new employees  
246 at the project site, broken down by full-time, part-time, and temporary positions;
- 247 (y) For project sites located in a metropolitan statistical area, as defined  
248 by the federal Office of Management and Budget, the average hourly wage paid  
249 to nonmanagerial employees in this state for the industries involved at the  
250 project, as established by the United States Bureau of Labor Statistics;
- 251 (z) For project sites located outside of metropolitan statistical areas, the  
252 average weekly wage paid to nonmanagerial employees in the county for  
253 industries involved at the project, as established by the United States  
254 Department of Commerce;
- 255 (aa) A list of other community and economic benefits to result from the  
256 project;
- 257 (bb) A list of all development subsidies that any business benefitting from  
258 public expenditures in the development area has previously received for the  
259 project, and the name of any other granting body from which such subsidies are  
260 sought;
- 261 (cc) A list of all other public investments made or to be made by this state  
262 or units of local government to support infrastructure or other needs generated  
263 by the project for which the funding pursuant to this section is being sought;
- 264 (dd) A statement as to whether the development project may reduce  
265 employment at any other site, within or without the state, resulting from  
266 automation, merger, acquisition, corporate restructuring, relocation, or other  
267 business activity;
- 268 (ee) A statement as to whether or not the project involves the relocation  
269 of work from another address and if so, the number of jobs to be relocated and the

270 address from which they are to be relocated;

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

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

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

276 (2) The methodologies used in the application for determining the base  
277 year and determining the estimate of the incremental increase in the general  
278 revenue portion of the state sales tax revenues or the state income tax withheld  
279 by employers on behalf of new employees who fill new jobs created in the  
280 redevelopment area shall be approved by the director of the department of  
281 economic development or his or her designee and the commissioner of the office  
282 of administration or his or her designee. Upon approval of the application, the  
283 director of the department of economic development or his or her designee and  
284 the commissioner of the office of administration or his or her designee shall issue  
285 a certificate of approval. The department of economic development may request  
286 the appropriation following application approval;

287 (3) The appropriation shall be either a portion of the estimate of the  
288 incremental increase in the general revenue portion of state sales tax revenues  
289 in the redevelopment area or a portion of the estimate of the state income tax  
290 withheld by the employer on behalf of new employees who fill new jobs created  
291 in the redevelopment area as indicated in the municipality's application,  
292 approved by the director of the department of economic development or his or her  
293 designee and the commissioner of the office of administration or his or her  
294 designee. At no time shall the annual amount of the new state revenues  
295 approved for disbursements from the Missouri supplemental tax increment  
296 financing fund exceed thirty-two million dollars;

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

302 11. In addition to the areas authorized in subsection 9 of this section, the  
303 funding authorized pursuant to subsection 4 of this section shall also be available  
304 in a federally approved levee district, where construction of a levee begins after  
305 December 23, 1997, and which is contained within a county of the first

306 classification without a charter form of government with a population between  
307 fifty thousand and one hundred thousand inhabitants which contains all or part  
308 of a city with a population in excess of four hundred thousand or more  
309 inhabitants.

310           12. There is hereby established within the state treasury a special fund  
311 to be known as the "Missouri Supplemental Tax Increment Financing Fund", to  
312 be administered by the department of economic development. The department  
313 shall annually distribute from the Missouri supplemental tax increment financing  
314 fund the amount of the new state revenues as appropriated as provided in the  
315 provisions of subsections 4 and 5 of this section if and only if the conditions of  
316 subsection 10 of this section are met. The fund shall also consist of any gifts,  
317 contributions, grants or bequests received from federal, private or other  
318 sources. Moneys in the Missouri supplemental tax increment financing fund shall  
319 be disbursed per project pursuant to state appropriations.

320           13. Redevelopment project costs may include, at the prerogative of the  
321 state, the portion of salaries and expenses of the department of economic  
322 development and the department of revenue reasonably allocable to each  
323 redevelopment project approved for disbursements from the Missouri  
324 supplemental tax increment financing fund for the ongoing administrative  
325 functions associated with such redevelopment project. Such amounts shall be  
326 recovered from new state revenues deposited into the Missouri supplemental tax  
327 increment financing fund created under this section.

328           14. For redevelopment plans or projects approved by ordinance that result  
329 in net new jobs from the relocation of a national headquarters from another state  
330 to the area of the redevelopment project, the economic activity taxes and new  
331 state tax revenues shall not be based on a calculation of the incremental increase  
332 in taxes as compared to the base year or prior calendar year for such  
333 redevelopment project, rather the incremental increase shall be the amount of  
334 total taxes generated from the net new jobs brought in by the national  
335 headquarters from another state. In no event shall this subsection be construed  
336 to allow a redevelopment project to receive an appropriation in excess of up to  
337 fifty percent of the new state revenues.

135.215. 1. Improvements made to "real property" as such term is defined  
2 in section 137.010, which are made in an enterprise zone subsequent to the date  
3 such zone or expansion thereto was designated, may upon approval of an  
4 authorizing resolution by the governing authority having jurisdiction of the area

5 in which the improvements are made, be exempt, in whole or in part, from  
6 assessment and payment of ad valorem taxes of one or more affected political  
7 subdivisions, provided that, except as to the exemption allowed under subsection  
8 3 of this section, at least fifty new jobs that provide an average of at least  
9 thirty-five hours of employment per week per job are created and maintained at  
10 the new or expanded facility. Such authorizing resolution shall specify the  
11 percent of the exemption to be granted, the duration of the exemption to be  
12 granted, and the political subdivisions to which such exemption is to apply and  
13 any other terms, conditions or stipulations otherwise required. A copy of the  
14 resolution shall be provided the director within thirty calendar days following  
15 adoption of the resolution by the governing authority.

16 2. No exemption shall be granted until the governing authority holds a  
17 public hearing for the purpose of obtaining the opinions and suggestions of  
18 residents of political subdivisions to be affected by the exemption from property  
19 taxes. The governing authority shall send, by certified mail, a notice of such  
20 hearing to each political subdivision in the area to be affected and shall publish  
21 notice of such hearing in a newspaper of general circulation in the area to be  
22 affected by the exemption at least twenty days prior to the hearing but not more  
23 than thirty days prior to the hearing. Such notice shall state the time, location,  
24 date and purpose of the hearing.

25 3. Notwithstanding subsection 1 of this section, at least one-half of the ad  
26 valorem taxes otherwise imposed on subsequent improvements to real property  
27 located in an enterprise zone shall become and remain exempt from assessment  
28 and payment of ad valorem taxes of any political subdivision of this state or  
29 municipality thereof, **if said political subdivision or municipality levies ad**  
30 **valorem taxes**, for a period of not less than ten years following the date such  
31 improvements were assessed, provided the improved properties are used for  
32 assembling, fabricating, processing, manufacturing, mining, warehousing or  
33 distributing properties.

34 4. No exemption shall be granted for a period more than twenty-five years  
35 following the date on which the original enterprise zone was designated by the  
36 department except for any enterprise zone within any home rule city with more  
37 than one hundred fifty-one thousand five hundred but less than one hundred  
38 fifty-one thousand six hundred inhabitants provided in any instance the  
39 exemption shall not be granted for a period longer than twenty-five years from  
40 the date on which the exemption was granted.

41           5. The provisions of subsection 1 of this section shall not apply to  
42 improvements made to real property which have been started prior to August 28,  
43 1991.

44           6. The mandatory abatement referred to in this section shall not relieve  
45 the assessor or other responsible official from ascertaining the amount of the  
46 equalized assessed value of all taxable property annually as required by section  
47 99.855 and shall not have the effect of reducing the payments in lieu of taxes  
48 referred to in subdivision (2) of section 99.845 unless such reduction is set forth  
49 in the plan approved by the governing body of the municipality pursuant to  
50 subdivision (1) of section 99.820.

51           7. Effective August 28, 2004, any abatement or exemption provided for in  
52 this section on an individual parcel of real property shall cease after a period of  
53 thirty days of business closure, work stoppage, major reduction in force, or a  
54 significant change in the type of business conducted at that location. For the  
55 purposes of this subsection, "work stoppage" shall not include strike or lockout  
56 or time necessary to retool a plant, and "major reduction in force" is defined as  
57 a seventy-five percent or greater reduction.

58 Any owner or new owner may reapply, but cannot receive the abatement or  
59 exemption for any period of time beyond the original life of the enterprise zone.

135.963. 1. Improvements made to real property as such term is defined  
2 in section 137.010 which are made in an enhanced enterprise zone subsequent to  
3 the date such zone or expansion thereto was designated, may, upon approval of  
4 an authorizing resolution or ordinance by the governing authority having  
5 jurisdiction of the area in which the improvements are made, be exempt, in whole  
6 or in part, from assessment and payment of ad valorem taxes of one or more  
7 affected political subdivisions. Improvements made to real property, as such term  
8 is defined in section 137.010, which are locally assessed and in a renewable  
9 energy generation zone designated as an enhanced enterprise zone, subsequent  
10 to the date such enhanced enterprise zone or expansion thereto was designated,  
11 may, upon approval of an authorizing resolution or ordinance by the governing  
12 authority having jurisdiction of the area in which the improvements are made,  
13 be exempt, in whole or in part, from assessment and payment of ad valorem taxes  
14 of one or more affected political subdivisions. In addition to enhanced business  
15 enterprises, a speculative industrial or warehouse building constructed by a  
16 public entity or a private entity if the land is leased by a public entity may be  
17 subject to such exemption.

18           2. Such authorizing resolution shall specify the percent of the exemption  
19 to be granted, the duration of the exemption to be granted, and the political  
20 subdivisions to which such exemption is to apply and any other terms, conditions,  
21 or stipulations otherwise required. A copy of the resolution shall be provided to  
22 the director within thirty calendar days following adoption of the resolution by  
23 the governing authority.

24           3. No exemption shall be granted until the governing authority holds a  
25 public hearing for the purpose of obtaining the opinions and suggestions of  
26 residents of political subdivisions to be affected by the exemption from property  
27 taxes. The governing authority shall send, by certified mail, a notice of such  
28 hearing to each political subdivision in the area to be affected and shall publish  
29 notice of such hearing in a newspaper of general circulation in the area to be  
30 affected by the exemption at least twenty days prior to the hearing but not more  
31 than thirty days prior to the hearing. Such notice shall state the time, location,  
32 date, and purpose of the hearing.

33           4. Notwithstanding subsection 1 of this section, at least one-half of the ad  
34 valorem taxes otherwise imposed on subsequent improvements to real property  
35 located in an enhanced enterprise zone of enhanced business enterprises or  
36 speculative industrial or warehouse buildings as indicated in subsection 1 of this  
37 section shall become and remain exempt from assessment and payment of ad  
38 valorem taxes of any political subdivision of this state or municipality thereof, **if**  
39 **said political subdivision or municipality levies ad valorem taxes**, for a  
40 period of not less than ten years following the date such improvements were  
41 assessed, provided the improved properties are used for enhanced business  
42 enterprises. The exemption for speculative buildings is subject to the approval  
43 of the governing authority for a period not to exceed two years if the building is  
44 owned by a private entity and five years if the building is owned or ground leased  
45 by a public entity. This shall not preclude the building receiving an exemption  
46 for the remaining time period established by the governing authority if it was  
47 occupied by an enhanced business enterprise. The two- and five-year time  
48 periods indicated for speculative buildings shall not be an addition to the local  
49 abatement time period for such facility.

50           5. No exemption shall be granted for a period more than twenty-five years  
51 following the date on which the original enhanced enterprise zone was designated  
52 by the department.

53           6. The provisions of subsection 1 of this section shall not apply to

54 improvements made to real property begun prior to August 28, 2004.

55           7. The abatement referred to in this section shall not relieve the assessor  
56 or other responsible official from ascertaining the amount of the equalized  
57 assessed value of all taxable property annually as required by section 99.855,  
58 99.957, or 99.1042 and shall not have the effect of reducing the payments in lieu  
59 of taxes referred to in subdivision (2) of subsection 1 of section 99.845, subdivision  
60 (2) of subsection 3 of section 99.957, or subdivision (2) of subsection 3 of section  
61 99.1042 unless such reduction is set forth in the plan approved by the governing  
62 body of the municipality pursuant to subdivision (1) of subsection 1 of section  
63 99.820, section 99.942, or section 99.1027.

**321.228. 1. As used in this section, the following terms shall  
2 mean:**

3           **(1) "Residential construction", new construction and erection of  
4 detached single-family or two-family dwellings or the development of  
5 land to be used for detached single-family or two-family dwellings;**

6           **(2) "Residential construction regulatory system", any bylaw,  
7 ordinance, order, rule, or regulation adopted, implemented, or enforced  
8 by any city, town, village, or county that pertains to residential  
9 construction, to any permitting system, or program relating to  
10 residential construction, including but not limited to the use or  
11 occupancy by the initial occupant thereof, or to any system or program  
12 for the inspection of residential construction. Residential construction  
13 regulatory system also includes the whole or any part of a nationally  
14 recognized model code, with or without amendments specific to such  
15 city, town, village, or county.**

16           **2. Notwithstanding the provisions of any other law to the  
17 contrary, if a city, town, village, or county adopts or has adopted,  
18 implements, and enforces a residential construction regulatory system  
19 applicable to residential construction within its jurisdiction, any fire  
20 protection districts wholly or partly located within such city, town,  
21 village, or county shall be without power, authority, or privilege to  
22 enforce or implement a residential construction regulatory system  
23 purporting to be applicable to any residential construction within such  
24 city, town, village, or county. Any such residential construction  
25 regulatory system adopted by a fire protection district or its board  
26 shall be treated as advisory only and shall not be enforced by such fire  
27 protection district or its board.**

28           **3. Notwithstanding the provisions of any other law to the**  
29 **contrary, fire protection districts:**

30           **(1) Shall have final regulatory authority regarding the location**  
31 **and specifications of fire hydrants, fire hydrant flow rates, and fire**  
32 **lanes, all as it relates to residential construction. Nothing in this**  
33 **subdivision shall be construed to require the political subdivision**  
34 **supplying water to incur any costs to modify its water supply**  
35 **infrastructure; and**

36           **(2) May inspect the alteration, enlargement, replacement or**  
37 **repair of a detached single-family or two-family dwelling; and**

38           **(3) Shall not collect a fee for the services described in**  
39 **subdivisions (1) and (2) of this subsection.**

**701.550. 1. As used in this section the following terms mean:**

2           **(1) "Anemometer", an instrument for measuring and recording**  
3 **the speed of the wind;**

4           **(2) "Anemometer tower", a structure, including all guy wires and**  
5 **accessory facilities, that has been constructed solely for the purpose of**  
6 **mounting an anemometer to document whether a site has wind**  
7 **resources sufficient for the operation of a wind turbine generator;**

8           **(3) "Area surrounding the anchor point", an area not less than**  
9 **sixty-four square feet whose outer boundary is at least four feet from**  
10 **the anchor point.**

11           **2. Any anemometer tower that is fifty feet in height above the**  
12 **ground or higher that is located outside the exterior boundaries of any**  
13 **municipality, and whose appearance is not otherwise mandated by state**  
14 **or federal law, shall be marked, painted, flagged, or otherwise**  
15 **constructed to be recognizable in clear air during daylight hours. Any**  
16 **anemometer tower that was erected before August 28, 2012, shall be**  
17 **marked as required in this section by January 1, 2014. Any**  
18 **anemometer tower that is erected on or after August 28, 2012, shall be**  
19 **marked as required in this section at the time it is erected. Marking**  
20 **required under this section includes marking the anemometer tower,**  
21 **guy wires, and accessory facilities as follows:**

22           **(1) The top one-third of the anemometer tower shall be painted**  
23 **in equal, alternating bands of aviation orange and white, beginning**  
24 **with orange at the top of the tower and ending with orange at the**  
25 **bottom of the marked portion of the tower;**

26           **(2) Two marker balls shall be attached to and evenly spaced on**  
27 **each of the outside guy wires;**

28           **(3) The area surrounding each point where a guy wire is**  
29 **anchored to the ground shall have a contrasting appearance with any**  
30 **surrounding vegetation. If the adjacent land is grazed, the area**  
31 **surrounding the anchor point shall be fenced; and**

32           **(4) One or more seven-foot safety sleeves shall be placed at each**  
33 **anchor point and shall extend from the anchor point along each guy**  
34 **wire attached to the anchor point.**

35           **3. A violation of this section is a class B misdemeanor.**

**Section 1. 1. No law or rule promulgated by an agency of the**  
2 **state of Missouri may impose a fine or penalty against a health care**  
3 **provider, hospital, or health care system for failing to participate in**  
4 **any particular health information organization.**

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

6           **(1) "Fine or penalty", any civil or criminal penalty or fine, tax,**  
7 **salary or wage withholding, or surcharge established by law or by rule**  
8 **promulgated by a state agency pursuant to chapter 536;**

9           **(2) "Health care system", any public or private entity whose**  
10 **function or purpose is the management of, processing of, or enrollment**  
11 **of individuals for or payment for, in full or in part, health care services**  
12 **or health care data or health care information for its participants;**

13           **(3) "Health information organization", an organization that**  
14 **oversees and governs the exchange of health-related information among**  
15 **organizations according to nationally recognized standards.**

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