

SENATE BILL NO. 772

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR MAY.

3957S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 620, RSMo, by adding thereto one new section relating to community investment corporations.

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

Section A. Chapter 620, RSMo, is amended by adding thereto
2 one new section, to be known as section 620.850, to read as
3 follows:

**620.850. 1. This section shall be known and may be
2 cited as the "Community Investment Corporation Development
3 Act".**

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

**6 (1) "Commission", the community investment corporation
7 development commission established in subsection 3 of this
8 section;**

**9 (2) "Community investment corporation", a for-profit,
10 citizen-owned, professionally managed real estate planning
11 and development corporation or land cooperative that may:**

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

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

19 (c) Enable each citizen whose principal residence is
20 situated in a local or regional area for which future
21 development will be controlled by a community investment
22 corporation to acquire, free as a right of citizenship, an
23 equal, lifetime, non-transferable, private property
24 ownership stake in local land use and infrastructure
25 development, share profits from land rentals, natural
26 resource use or extraction revenues, and infrastructure user
27 fees, and have a voice as an owner in the governance of
28 future land development in the community;

29 (3) "Department", the Missouri department of economic
30 development.

31 3. (1) There is hereby established within the
32 department the community investment corporation development
33 commission.

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

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

44 4. (1) The commission may begin to conduct business
45 upon the appointment of a majority of the voting members,
46 including the chair. The commission may adopt bylaws, and
47 may establish committees and officers as it deems necessary.

48 (2) A majority of members of the commission shall
49 constitute a quorum, and meetings of the commission shall be
50 subject to the provisions of chapter 610. The commission

51 shall afford an opportunity for public comment at each
52 public meeting.

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

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

60 5. The commission shall gather information and make
61 annual reports of recommendations to the governor and to the
62 general assembly regarding the establishment and operation
63 of community investment corporations. The reports shall
64 include recommendations concerning, without limitation:

65 (1) The establishment of policies regarding community
66 investment corporations;

67 (2) The approval of community investment corporations
68 throughout the state;

69 (3) The establishment of guidelines for citizens of
70 localities to petition for local referenda to create
71 community investment corporations and to determine the
72 participation plan for allocation, shareholder governance,
73 and ownership rights, the issuance and cancellation of
74 shares of community investment corporations, and the
75 disposition of assets in the event of the dissolution of a
76 community investment corporation;

77 (4) The establishment of tax reforms that encourage
78 the use and effectiveness of community investment
79 corporations through the exemption from all state and local
80 taxes on the holdings of land, natural resources,
81 improvements, other tangible and intangible assets,
82 undistributed capital gains, and undistributed profits,

83 provided that at least ninety percent of the annual profits
84 are distributed as taxable dividends, other forms of taxable
85 distributions to its shareholders and workers, and debt
86 service payments on its loans;

87 (5) The rendering of assistance to localities on
88 problems, concerns, and issues related to the development of
89 community investment corporations;

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

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

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

102 6. (1) Subject to appropriation, the department shall
103 develop and maintain a program to make grants to communities
104 seeking to establish community investment corporations and
105 encourage them to become self-sustaining from land rentals
106 and other fees within the first five years of their
107 formation. The procedures for grant application shall be
108 established by the department by rule.

109 (2) The commission shall seek funding from local,
110 state, federal, and private sources to make grants and loans
111 and otherwise enhance the development of community
112 investment corporations. The department shall advise the
113 commission of all available sources of funding for economic
114 development that it is aware of and shall assist the

115 commission and community investment corporations in securing
116 such funding.

117 (3) Funds received pursuant to this section shall be
118 deposited into the community investment corporation fund,
119 which is hereby created in the state treasury. The state
120 treasurer shall be custodian of the fund. In accordance
121 with sections 30.170 and 30.180, the state treasurer may
122 approve disbursements. Notwithstanding the provisions of
123 section 33.080 to the contrary, any moneys remaining in the
124 fund at the end of the biennium shall not revert to the
125 credit of the general revenue fund. The state treasurer
126 shall invest moneys in the fund in the same manner as other
127 funds are invested. Any interest and moneys earned on such
128 investments shall be credited to the fund. Moneys in the
129 fund shall be expended solely for the purposes of this
130 section.

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

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