

SECOND REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 908

101ST GENERAL ASSEMBLY

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ADRIANE D. CROUSE, Secretary

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## AN ACT

To repeal sections 67.457, 67.461, 67.1421, 67.1431, 67.1471, 99.825, 99.830, 99.865, 238.212, and 238.222, RSMo, and to enact in lieu thereof ten new sections relating to certain special taxing districts.

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

Section A. Sections 67.457, 67.461, 67.1421, 67.1431,  
2 67.1471, 99.825, 99.830, 99.865, 238.212, and 238.222, RSMo,  
3 are repealed and ten new sections enacted in lieu thereof, to  
4 be known as sections 67.457, 67.461, 67.1421, 67.1431, 67.1471,  
5 99.825, 99.830, 99.865, 238.212, and 238.222, to read as  
6 follows:

67.457. 1. To establish a neighborhood improvement  
2 district, the governing body of any city or county shall  
3 comply with either of the procedures described in subsection  
4 2 or 3 of this section.

5 2. The governing body of any city or county proposing  
6 to create a neighborhood improvement district may by  
7 resolution submit the question of creating such district to  
8 all qualified voters residing within such district at a  
9 general or special election called for that purpose. Such  
10 resolution shall set forth the project name for the proposed  
11 improvement, the general nature of the proposed improvement,  
12 the estimated cost of such improvement, the boundaries of  
13 the proposed neighborhood improvement district to be

14 assessed, and the proposed method or methods of assessment  
15 of real property within the district, including any  
16 provision for the annual assessment of maintenance costs of  
17 the improvement in each year during the term of the bonds  
18 issued for the original improvement and after such bonds are  
19 paid in full. The governing body of the city or county may  
20 create a neighborhood improvement district when the question  
21 of creating such district has been approved by the vote of  
22 the percentage of electors within such district voting  
23 thereon that is equal to the percentage of voter approval  
24 required for the issuance of general obligation bonds of  
25 such city or county under Article VI, Section 26 of the  
26 constitution of this state. The notice of election  
27 containing the question of creating a neighborhood  
28 improvement district shall contain the project name for the  
29 proposed improvement, the general nature of the proposed  
30 improvement, the estimated cost of such improvement, the  
31 boundaries of the proposed neighborhood improvement district  
32 to be assessed, the proposed method or methods of assessment  
33 of real property within the district, including any  
34 provision for the annual assessment of maintenance costs of  
35 the improvement in each year after the bonds issued for the  
36 original improvement are paid in full, and a statement that  
37 the final cost of such improvement assessed against real  
38 property within the district and the amount of general  
39 obligation bonds issued therefor shall not exceed the  
40 estimated cost of such improvement, as stated in such  
41 notice, by more than twenty-five percent, and that the  
42 annual assessment for maintenance costs of the improvements  
43 shall not exceed the estimated annual maintenance cost, as  
44 stated in such notice, by more than twenty-five percent.  
45 The ballot upon which the question of creating a

46 neighborhood improvement district is submitted to the  
47 qualified voters residing within the proposed district shall  
48 contain a question in substantially the following form:

49 Shall \_\_\_\_\_ (name of city or county) be  
50 authorized to create a neighborhood improvement  
51 district proposed for the \_\_\_\_\_ (project name  
52 for the proposed improvement) and incur  
53 indebtedness and issue general obligation bonds  
54 to pay for all or part of the cost of public  
55 improvements within such district, the cost of  
56 all indebtedness so incurred to be assessed by  
57 the governing body of the \_\_\_\_\_ (city or  
58 county) on the real property benefitted by such  
59 improvements for a period of \_\_\_\_\_ years, and,  
60 if included in the resolution, an assessment in  
61 each year thereafter with the proceeds thereof  
62 used solely for maintenance of the improvement?

63 3. As an alternative to the procedure described in  
64 subsection 2 of this section, the governing body of a city  
65 or county may create a neighborhood improvement district  
66 when a proper petition has been signed by the owners of  
67 record of at least two-thirds by area of all real property  
68 located within such proposed district. Each owner of record  
69 of real property located in the proposed district is allowed  
70 one signature. Any person, corporation, or limited  
71 liability partnership owning more than one parcel of land  
72 located in such proposed district shall be allowed only one  
73 signature on such petition. The petition, in order to  
74 become effective, shall be filed with the city clerk or  
75 county clerk. A proper petition for the creation of a  
76 neighborhood improvement district shall set forth the  
77 project name for the proposed improvement, the general

78 nature of the proposed improvement, the estimated cost of  
79 such improvement, the boundaries of the proposed  
80 neighborhood improvement district to be assessed, the  
81 proposed method or methods of assessment of real property  
82 within the district, including any provision for the annual  
83 assessment of maintenance costs of the improvement in each  
84 year during the term of the bonds issued for the original  
85 improvement and after such bonds are paid in full, a notice  
86 that the names of the signers may not be withdrawn later  
87 than seven days after the petition is filed with the city  
88 clerk or county clerk, and a notice that the final cost of  
89 such improvement assessed against real property within the  
90 district and the amount of general obligation bonds issued  
91 therefor shall not exceed the estimated cost of such  
92 improvement, as stated in such petition, by more than twenty-  
93 five percent, and that the annual assessment for maintenance  
94 costs of the improvements shall not exceed the estimated  
95 annual maintenance cost, as stated in such petition, by more  
96 than twenty-five percent.

97 4. Upon receiving the requisite voter approval at an  
98 election or upon the filing of a proper petition with the  
99 city clerk or county clerk, the governing body may by  
100 resolution or ordinance determine the advisability of the  
101 improvement and may order that the district be established  
102 and that preliminary plans and specifications for the  
103 improvement be made. Such resolution or ordinance shall  
104 state and make findings as to the project name for the  
105 proposed improvement, the nature of the improvement, the  
106 estimated cost of such improvement, the boundaries of the  
107 neighborhood improvement district to be assessed, the  
108 proposed method or methods of assessment of real property  
109 within the district, including any provision for the annual

110 assessment of maintenance costs of the improvement in each  
111 year after the bonds issued for the original improvement are  
112 paid in full, and shall also state that the final cost of  
113 such improvement assessed against the real property within  
114 the neighborhood improvement district and the amount of  
115 general obligation bonds issued therefor shall not, without  
116 a new election or petition, exceed the estimated cost of  
117 such improvement by more than twenty-five percent.

118 5. The boundaries of the proposed district shall be  
119 described by metes and bounds, streets or other sufficiently  
120 specific description. The area of the neighborhood  
121 improvement district finally determined by the governing  
122 body of the city or county to be assessed may be less than,  
123 but shall not exceed, the total area comprising such  
124 district.

125 6. In any neighborhood improvement district organized  
126 prior to August 28, 1994, an assessment may be levied and  
127 collected after the original period approved for assessment  
128 of property within the district has expired, with the  
129 proceeds thereof used solely for maintenance of the  
130 improvement, if the residents of the neighborhood  
131 improvement district either vote to assess real property  
132 within the district for the maintenance costs in the manner  
133 prescribed in subsection 2 of this section or if the owners  
134 of two-thirds of the area of all real property located  
135 within the district sign a petition for such purpose in the  
136 same manner as prescribed in subsection 3 of this section.

137 7. Prior to any assessment hereafter being levied  
138 against any real property within any neighborhood  
139 improvement district, and prior to any lien enforceable  
140 under either chapter 140 or 141 being imposed after August  
141 28, 2013, against any real property within a neighborhood

142 improvement district, the clerk of the governing body  
143 establishing the neighborhood improvement district shall  
144 cause to be recorded with the recorder of deeds for the  
145 county in which any portion of the neighborhood improvement  
146 district is located a document conforming to the provisions  
147 of sections 59.310 and 59.313, and which shall contain at  
148 least the following information:

149 (1) Each and all owners of record of real property  
150 located within the neighborhood improvement district at the  
151 time of recording, who shall be identified in the document  
152 as grantors and indexed by the recorder, as required under  
153 and pursuant to section 59.440;

154 (2) The governing body establishing the neighborhood  
155 improvement district and the title of any official or agency  
156 responsible for collecting or enforcing any assessments, who  
157 shall be identified in the document as grantees and so  
158 indexed by the recorder, as required under and pursuant to  
159 section 59.440;

160 (3) The legal description of the property within the  
161 neighborhood improvement district which may either be the  
162 metes and bounds description authorized in subsection 5 of  
163 this section or the legal description of each lot or parcel  
164 within the neighborhood improvement district; and

165 (4) The identifying number of the resolution or  
166 ordinance creating the neighborhood improvement district, or  
167 a copy of such resolution or ordinance.

168 **8. (1) The governing body of the city or county**  
169 **establishing a neighborhood improvement district shall, as**  
170 **soon as is practicable, submit the following information to**  
171 **the state auditor and the department of revenue:**

172           **(a) A description of the boundaries of such district**  
173 **as well as the average assessment made against real property**  
174 **located in such district;**

175           **(b) Any amendments made to the boundaries of a**  
176 **district; and**

177           **(c) The date on which a neighborhood improvement**  
178 **district is dissolved.**

179           **(2) The governing body of the city or county**  
180 **establishing a neighborhood improvement district on or after**  
181 **August 28, 2022, shall not order any assessment to be made**  
182 **on any real property located within a district until such**  
183 **governing body has submitted the information required by**  
184 **paragraph (a) of subdivision (1) of this subsection.**

67.461. 1. After the governing body has made the  
2 findings specified in section 67.457 and plans and  
3 specifications for the proposed improvements have been  
4 prepared, the governing body shall by ordinance or  
5 resolution order assessments to be made against each parcel  
6 of real property deemed to be benefitted by an improvement  
7 based on the revised estimated cost of the improvement or,  
8 if available, the final cost thereof, and shall order a  
9 proposed assessment roll to be prepared.

10           2. The plans and specifications for the improvement  
11 and the proposed assessment roll shall be filed with the  
12 city clerk or county clerk, as applicable, and shall be open  
13 for public inspection. Such clerk shall thereupon, at the  
14 direction of the governing body, publish notice that the  
15 governing body will conduct a hearing to consider the  
16 proposed improvement and proposed assessments. Such notice  
17 shall be published in a newspaper of general circulation at  
18 least once not more than twenty days and not less than ten  
19 days before the hearing and shall state the project name for

20 the improvement, the date, time and place of such hearing,  
21 the general nature of the improvement, the revised estimated  
22 cost or, if available, the final cost of the improvement,  
23 the boundaries of the neighborhood improvement district to  
24 be assessed, and that written or oral objections will be  
25 considered at the hearing. **Such notice shall also be sent**  
26 **to the Missouri department of revenue, which shall publish**  
27 **such notice on its website.** At the same time, the clerk  
28 shall mail to the owners of record of the real property made  
29 liable to pay the assessments, at their last known post  
30 office address, a notice of the hearing and a statement of  
31 the cost proposed to be assessed against the real property  
32 so owned and assessed. The failure of any owner to receive  
33 such notice shall not invalidate the proceedings.

67.1421. 1. Upon receipt of a proper petition filed  
2 with its municipal clerk, the governing body of the  
3 municipality in which the proposed district is located shall  
4 hold a public hearing in accordance with section 67.1431 and  
5 may adopt an ordinance to establish the proposed district.

6 2. A petition is proper if, based on the tax records  
7 of the county clerk, or the collector of revenue if the  
8 district is located in a city not within a county, as of the  
9 time of filing the petition with the municipal clerk, it  
10 meets the following requirements:

11 (1) It has been signed by property owners collectively  
12 owning more than fifty percent by assessed value of the real  
13 property within the boundaries of the proposed district;

14 (2) It has been signed by more than fifty percent per  
15 capita of all owners of real property within the boundaries  
16 of the proposed district; and

17 (3) It contains the following information:



- 18           (a) The legal description of the proposed district,  
19 including a map illustrating the district boundaries;
- 20           (b) The name of the proposed district;
- 21           (c) A notice that the signatures of the signers may  
22 not be withdrawn later than seven days after the petition is  
23 filed with the municipal clerk;
- 24           (d) A five-year plan stating a description of the  
25 purposes of the proposed district, the services it will  
26 provide, each improvement it will make from the list of  
27 allowable improvements under section 67.1461, an estimate of  
28 the costs of these services and improvements to be incurred,  
29 the anticipated sources of funds to pay the costs, and the  
30 anticipated term of the sources of funds to pay the costs;
- 31           (e) A statement as to whether the district will be a  
32 political subdivision or a not-for-profit corporation and if  
33 it is to be a not-for-profit corporation, the name of the  
34 not-for-profit corporation;
- 35           (f) If the district is to be a political subdivision,  
36 a statement as to whether the district will be governed by a  
37 board elected by the district or whether the board will be  
38 appointed by the municipality, and, if the board is to be  
39 elected by the district, the names and terms of the initial  
40 board may be stated;
- 41           (g) If the district is to be a political subdivision,  
42 the number of directors to serve on the board;
- 43           (h) The total assessed value of all real property  
44 within the proposed district;
- 45           (i) A statement as to whether the petitioners are  
46 seeking a determination that the proposed district, or any  
47 legally described portion thereof, is a blighted area;
- 48           (j) The proposed length of time for the existence of  
49 the district, which in the case of districts established

50 after August 28, 2021, shall not exceed twenty-seven years  
51 from the adoption of the ordinance establishing the district  
52 unless the municipality extends the length of time under  
53 section 67.1481;

54 (k) The maximum rates of real property taxes, and,  
55 business license taxes in the county seat of a county of the  
56 first classification without a charter form of government  
57 containing a population of at least two hundred thousand,  
58 that may be submitted to the qualified voters for approval;

59 (l) The maximum rates of special assessments and  
60 respective methods of assessment that may be proposed by  
61 petition;

62 (m) The limitations, if any, on the borrowing capacity  
63 of the district;

64 (n) The limitations, if any, on the revenue generation  
65 of the district;

66 (o) Other limitations, if any, on the powers of the  
67 district;

68 (p) A request that the district be established; and

69 (q) Any other items the petitioners deem appropriate;

70 (4) The signature block for each real property owner  
71 signing the petition shall be in substantially the following  
72 form and contain the following information:

73 Name of owner: \_\_\_\_\_

74 Owner's telephone number and mailing address:  
75 \_\_\_\_\_

76 If signer is different from owner:

77 Name of signer: \_\_\_\_\_

78 State basis of legal authority to sign: \_\_\_\_\_

79 Signer's telephone number and mailing address:  
80 \_\_\_\_\_

81 If the owner is an individual, state if owner is  
82 single or married: \_\_\_\_\_

83 If owner is not an individual, state what type of  
84 entity: \_\_\_\_\_

85 Map and parcel number and assessed value of each  
86 tract of real property within the proposed district  
87 owned: \_\_\_\_\_

88 By executing this petition, the undersigned  
89 represents and warrants that he or she is  
90 authorized to execute this petition on behalf of  
91 the property owner named immediately above

92 \_\_\_\_\_

93 Signature of person Date

94 signing for owner

95 STATE OF MISSOURI )

96 ) ss.

97 COUNTY OF \_\_\_\_\_ )

98 Before me personally appeared \_\_\_\_\_, to me  
99 personally known to be the individual described in  
100 and who executed the foregoing instrument.

101 WITNESS my hand and official seal this \_\_\_\_\_ day  
102 of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

103 \_\_\_\_\_

104 Notary Public

105 My Commission Expires: \_\_\_\_\_ ; and

106 (5) Alternatively, the governing body of any home rule  
107 city with more than four hundred thousand inhabitants and  
108 located in more than one county may file a petition to  
109 initiate the process to establish a district in the portion  
110 of the city located in any county of the first  
111 classification with more than two hundred thousand but fewer  
112 than two hundred sixty thousand inhabitants containing the

113 information required in subdivision (3) of this subsection;  
114 provided that the only funding methods for the services and  
115 improvements will be a real property tax.

116 3. Upon receipt of a petition the municipal clerk  
117 shall, within a reasonable time not to exceed ninety days  
118 after receipt of the petition, review and determine whether  
119 the petition substantially complies with the requirements of  
120 subsection 2 of this section. In the event the municipal  
121 clerk receives a petition which does not meet the  
122 requirements of subsection 2 of this section, the municipal  
123 clerk shall, within a reasonable time, return the petition  
124 to the submitting party by hand delivery, first class mail,  
125 postage prepaid or other efficient means of return and shall  
126 specify which requirements have not been met.

127 4. After the close of the public hearing required  
128 pursuant to subsection 1 of this section, the governing body  
129 of the municipality may adopt an ordinance approving the  
130 petition and establishing a district as set forth in the  
131 petition and may determine, if requested in the petition,  
132 whether the district, or any legally described portion  
133 thereof, constitutes a blighted area. If the petition was  
134 filed by the governing body of a municipality pursuant to  
135 subdivision (5) of subsection 2 of this section, after the  
136 close of the public hearing required pursuant to subsection  
137 1 of this section, the petition may be approved by the  
138 governing body and an election shall be called pursuant to  
139 section 67.1422.

140 5. Amendments to a petition may be made which do not  
141 change the proposed boundaries of the proposed district if  
142 an amended petition meeting the requirements of subsection 2  
143 of this section is filed with the municipal clerk at the  
144 following times and the following requirements have been met:

145 (1) At any time prior to the close of the public  
146 hearing required pursuant to subsection 1 of this section;  
147 provided that, notice of the contents of the amended  
148 petition is given at the public hearing;

149 (2) At any time after the public hearing and prior to  
150 the adoption of an ordinance establishing the proposed  
151 district; provided that, notice of the amendments to the  
152 petition is given by publishing the notice in a newspaper of  
153 general circulation within the municipality and by sending  
154 the notice via registered certified United States mail with  
155 a return receipt attached to the address of record of each  
156 owner of record of real property within the boundaries of  
157 the proposed district per the tax records of the county  
158 clerk, or the collector of revenue if the district is  
159 located in a city not within a county. Such notice shall be  
160 published and mailed not less than ten days prior to the  
161 adoption of the ordinance establishing the district. **Such**  
162 **notice shall also be sent to the Missouri department of**  
163 **revenue, which shall publish such notice on its website;**

164 (3) At any time after the adoption of any ordinance  
165 establishing the district a public hearing on the amended  
166 petition is held and notice of the public hearing is given  
167 in the manner provided in section 67.1431 and the governing  
168 body of the municipality in which the district is located  
169 adopts an ordinance approving the amended petition after the  
170 public hearing is held.

171 6. Upon the creation of a district, the municipal  
172 clerk shall report in writing the creation of such district  
173 to the Missouri department of economic development and the  
174 state auditor.

175 7. (1) **The governing body of the municipality or**  
176 **county establishing a district shall, as soon as is**

177 practicable, submit the following information to the state  
178 auditor and the department of revenue:

179 (a) A description of the boundaries of such district  
180 as well as the rate of property tax or sales tax levied in  
181 such district;

182 (b) Any amendments made to the boundaries of a  
183 district or the tax rates levied in such district; and

184 (c) The date on which the district is terminated.

185 (2) The governing body of the municipality or county  
186 establishing a community improvement district on or after  
187 August 28, 2022, shall not order any assessment to be made  
188 on any real property located within a district and shall not  
189 levy any property or sales tax until such governing body has  
190 submitted the information required by paragraph (a) of  
191 subdivision (1) of this subsection.

67.1431. 1. Within a reasonable time, not to exceed  
2 forty-five days, after the receipt of the verified petition  
3 from the municipal clerk, the governing body shall hold or  
4 cause to be held a public hearing on the establishment of  
5 the proposed district and shall give notice of the public  
6 hearing in the manner provided in subsection 3 of this  
7 section. All reasonable protests, objections and  
8 endorsements shall be heard at the public hearing.

9 2. The public hearing may be continued to another date  
10 without further notice other than a motion to be entered on  
11 the minutes fixing the date, time and place of the  
12 continuance of the public hearing, **as well as providing such**  
13 **information to the Missouri department of revenue, which**  
14 **shall publish such information on its website.**

15 3. Notice of the public hearing shall be given by  
16 publication and mailing. Notice by publication shall be  
17 given by publication in a newspaper of general circulation

18 within the municipality once a week for two consecutive  
19 weeks prior to the week of the public hearing, **as well as by**  
20 **notice provided to the Missouri department of revenue, which**  
21 **shall publish such information on its website.** Notice by  
22 mail shall be given not less than fifteen days prior to the  
23 public hearing by sending the notice via registered or  
24 certified United States mail with a return receipt attached  
25 to the address of record of each owner of record of real  
26 property within the boundaries of the proposed district.  
27 The published and mailed notices shall include the following:  
28 (1) The date, time and place of the public hearing;  
29 (2) A statement that a petition for the establishment  
30 of a district has been filed with the municipal clerk;  
31 (3) The boundaries of the proposed district by street  
32 location, or other readily identifiable means if no street  
33 location exists; and a map illustrating the proposed  
34 boundaries;  
35 (4) A statement that a copy of the petition is  
36 available for review at the office of the municipal clerk  
37 during regular business hours; and  
38 (5) A statement that all interested persons shall be  
39 given an opportunity to be heard at the public hearing.

67.1471. 1. The fiscal year for the district shall be  
2 the same as the fiscal year of the municipality.  
3 2. No earlier than one hundred eighty days and no  
4 later than ninety days prior to the first day of each fiscal  
5 year, the board shall submit to the **Missouri department of**  
6 **revenue, the state auditor, and the** governing body of the  
7 city a proposed annual budget, setting forth expected  
8 expenditures, revenues, and rates of assessments and taxes,  
9 if any, for such fiscal year. The governing body may review  
10 and comment to the board on this proposed budget, but if

11 such comments are given, the governing body of the  
12 municipality shall provide such written comments to the  
13 board no later than sixty days prior to the first day of the  
14 relevant fiscal year; such comments shall not constitute  
15 requirements but shall only be recommendations.

16 3. The board shall hold an annual meeting and adopt an  
17 annual budget no later than thirty days prior to the first  
18 day of each fiscal year.

19 4. Within one hundred twenty days after the end of  
20 each fiscal year, the district shall submit a report to the  
21 municipal clerk, **the Missouri department of revenue, the**  
22 **state auditor,** and the Missouri department of economic  
23 development. The report shall state the services provided,  
24 revenues collected, and expenditures made by the district  
25 during such fiscal year; state the dates the district  
26 adopted its annual budget, submitted its proposed annual  
27 budget to the municipality, and submitted its annual report  
28 to the municipal clerk; and include copies of written  
29 resolutions approved by the board during the fiscal year.  
30 The municipal clerk shall retain this report as part of the  
31 official records of the municipality and shall also cause  
32 this report to be spread upon the records of the governing  
33 body.

34 5. The state auditor may audit a district in the same  
35 manner as the auditor may audit any agency of the state.

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



8 project. At the public hearing any interested person or  
9 affected taxing district may file with the commission  
10 written objections to, or comments on, and may be heard  
11 orally in respect to, any issues embodied in the notice.  
12 The commission shall hear and consider all protests,  
13 objections, comments and other evidence presented at the  
14 hearing. The hearing may be continued to another date  
15 without further notice other than a motion to be entered  
16 upon the minutes fixing the time and place of the subsequent  
17 hearing, **as well as providing such information to the**  
18 **Missouri department of revenue, which shall publish such**  
19 **information on its website;** provided, if the commission is  
20 created under subsection 3 of section 99.820, the hearing  
21 shall not be continued for more than thirty days beyond the  
22 date on which it is originally opened unless such longer  
23 period is requested by the chief elected official of the  
24 municipality creating the commission and approved by a  
25 majority of the commission. Prior to the conclusion of the  
26 hearing, changes may be made in the redevelopment plan,  
27 redevelopment project, or redevelopment area, provided that  
28 each affected taxing district is given written notice of  
29 such changes at least seven days prior to the conclusion of  
30 the hearing. After the public hearing but prior to the  
31 adoption of an ordinance approving a redevelopment plan or  
32 redevelopment project, or designating a redevelopment area,  
33 changes may be made to the redevelopment plan, redevelopment  
34 projects or redevelopment areas without a further hearing,  
35 if such changes do not enlarge the exterior boundaries of  
36 the redevelopment area or areas, and do not substantially  
37 affect the general land uses established in the  
38 redevelopment plan or substantially change the nature of the  
39 redevelopment projects, provided that notice of such changes

40 shall be given by mail to each affected taxing district and  
41 by publication in a newspaper of general circulation in the  
42 area of the proposed redevelopment not less than ten days  
43 prior to the adoption of the changes by ordinance. After  
44 the adoption of an ordinance approving a redevelopment plan  
45 or redevelopment project, or designating a redevelopment  
46 area, no ordinance shall be adopted altering the exterior  
47 boundaries, affecting the general land uses established  
48 pursuant to the redevelopment plan or changing the nature of  
49 the redevelopment project without complying with the  
50 procedures provided in this section pertaining to the  
51 initial approval of a redevelopment plan or redevelopment  
52 project and designation of a redevelopment area. Hearings  
53 with regard to a redevelopment project, redevelopment area,  
54 or redevelopment plan may be held simultaneously.

55 2. If, after concluding the hearing required under  
56 this section, the commission makes a recommendation under  
57 section 99.820 in opposition to a proposed redevelopment  
58 plan, redevelopment project, or designation of a  
59 redevelopment area, or any amendments thereto, a  
60 municipality desiring to approve such project, plan,  
61 designation, or amendments shall do so only upon a two-  
62 thirds majority vote of the governing body of such  
63 municipality. For plans, projects, designations, or  
64 amendments approved by a municipality over the  
65 recommendation in opposition by the commission formed under  
66 subsection 3 of section 99.820, the economic activity taxes  
67 and payments in lieu of taxes generated by such plan,  
68 project, designation, or amendment shall be restricted to  
69 paying only those redevelopment project costs contained in  
70 subparagraphs b. and c. of paragraph (c) of subdivision (16)  
71 of section 99.805 per redevelopment project.

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

79           **4. (1) The governing body of the municipality**  
80 **establishing a redevelopment area shall, as soon as is**  
81 **practicable, submit the following information to the state**  
82 **auditor and the department of revenue:**

83           **(a) A description of the boundaries of such**  
84 **redevelopment area;**

85           **(b) Any amendments made to the boundaries of a**  
86 **redevelopment area;**

87           **(c) The estimated redevelopment project costs and the**  
88 **estimated date of completion of all redevelopment projects;**  
89 **and**

90           **(d) The date on which the redevelopment area is**  
91 **dissolved.**

92           **(2) The governing body of the municipality**  
93 **establishing a redevelopment area on or after August 28,**  
94 **2022, shall not deposit any payments in lieu of taxes or any**  
95 **other taxes into the special allocation fund until such**  
96 **governing body has submitted the information required by**  
97 **paragraph (a) of subdivision (1) of this subsection.**

99.830. 1. Notice of the public hearing required by  
2 section 99.825 shall be given by publication and mailing.  
3 Notice by publication shall be given by publication at least  
4 twice, the first publication to be not more than thirty days  
5 and the second publication to be not more than ten days  
6 prior to the hearing, in a newspaper of general circulation

7 in the area of the proposed redevelopment. Notice by  
8 mailing shall be given by depositing such notice in the  
9 United States mail by certified mail addressed to the person  
10 or persons in whose name the general taxes for the last  
11 preceding year were paid on each lot, block, tract, or  
12 parcel of land lying within the redevelopment project or  
13 redevelopment area which is to be subjected to the payment  
14 or payments in lieu of taxes and economic activity taxes  
15 pursuant to section 99.845. Such notice shall be mailed not  
16 less than ten days prior to the date set for the public  
17 hearing. In the event taxes for the last preceding year  
18 were not paid, the notice shall also be sent to the persons  
19 last listed on the tax rolls within the preceding three  
20 years as the owners of such property.

21 2. The notices issued pursuant to this section shall  
22 include the following:

23 (1) The time and place of the public hearing;

24 (2) The general boundaries of the proposed  
25 redevelopment area or redevelopment project by street  
26 location, where possible;

27 (3) A statement that all interested persons shall be  
28 given an opportunity to be heard at the public hearing;

29 (4) A description of the proposed redevelopment plan  
30 or redevelopment project and a location and time where the  
31 entire plan or project proposal may be reviewed by any  
32 interested party;

33 (5) Such other matters as the commission may deem  
34 appropriate.

35 3. Not less than forty-five days prior to the date set  
36 for the public hearing, the commission shall give notice by  
37 mail as provided in subsection 1 of this section to all  
38 taxing districts from which taxable property is included in

39 the redevelopment area, redevelopment project or  
40 redevelopment plan, and in addition to the other  
41 requirements pursuant to subsection 2 of this section, the  
42 notice shall include an invitation to each taxing district  
43 to submit comments to the commission concerning the subject  
44 matter of the hearing prior to the date of the hearing.

45 4. A copy of any and all hearing notices required by  
46 section 99.825 shall be submitted by the commission to the  
47 director of the department of economic development **and to**  
48 **the Missouri department of revenue, which shall publish such**  
49 **notice on its website.** Such submission of the copy of the  
50 hearing notice shall comply with the prior notice  
51 requirements pursuant to subsection 3 of this section.

99.865. 1. No later than November fifteenth of each  
2 year, the governing body of the municipality, or its  
3 designee, shall prepare a report concerning the status of  
4 each redevelopment plan and redevelopment project existing  
5 as of December thirty-first of the preceding year, and shall  
6 submit a copy of such report to the director of the  
7 department of revenue. The report shall include the  
8 following:

9 (1) The amount and source of revenue in the special  
10 allocation fund;

11 (2) The amount and purpose of expenditures from the  
12 special allocation fund;

13 (3) The amount of any pledge of revenues, including  
14 principal and interest on any outstanding bonded  
15 indebtedness;

16 (4) The original assessed value of the redevelopment  
17 project;

18 (5) The assessed valuation added to the redevelopment  
19 project;

20 (6) Payments made in lieu of taxes received and  
21 expended;

22 (7) The economic activity taxes generated within the  
23 redevelopment area in the calendar year prior to the  
24 approval of the redevelopment plan, to include a separate  
25 entry for the state sales tax revenue base for the  
26 redevelopment area or the state income tax withheld by  
27 employers on behalf of existing employees in the  
28 redevelopment area prior to the redevelopment plan;

29 (8) The economic activity taxes generated within the  
30 redevelopment area after the approval of the redevelopment  
31 plan, to include a separate entry for the increase in state  
32 sales tax revenues for the redevelopment area or the  
33 increase in state income tax withheld by employers on behalf  
34 of new employees who fill new jobs created in the  
35 redevelopment area;

36 (9) Reports on contracts made incident to the  
37 implementation and furtherance of a redevelopment plan or  
38 project;

39 (10) A copy of any redevelopment plan, which shall  
40 include the required findings and cost-benefit analysis  
41 pursuant to subdivisions (1) to (6) of section 99.810;

42 (11) The cost of any property acquired, disposed of,  
43 rehabilitated, reconstructed, repaired or remodeled;

44 (12) The number of parcels acquired by or through  
45 initiation of eminent domain proceedings; and

46 (13) Any additional information the municipality deems  
47 necessary.

48 2. Data contained in the report mandated pursuant to  
49 the provisions of subsection 1 of this section shall be made  
50 available to the commissioner of administration, who shall  
51 publish such reports on the Missouri accountability portal

52 pursuant to section 37.850. Any information regarding  
53 amounts disbursed to municipalities pursuant to the  
54 provisions of section 99.845 shall be deemed a public  
55 record, as defined in section 610.010. An annual statement  
56 showing the payments made in lieu of taxes received and  
57 expended in that year, the status of the redevelopment plan  
58 and projects therein, amount of outstanding bonded  
59 indebtedness and any additional information the municipality  
60 deems necessary shall be published in a newspaper of general  
61 circulation in the municipality.

62 3. Five years after the establishment of a  
63 redevelopment plan and every five years thereafter the  
64 governing body shall hold a public hearing regarding those  
65 redevelopment plans and projects created pursuant to  
66 sections 99.800 to 99.865. The purpose of the hearing shall  
67 be to determine if the redevelopment project is making  
68 satisfactory progress under the proposed time schedule  
69 contained within the approved plans for completion of such  
70 projects. Notice of such public hearing shall be given in a  
71 newspaper of general circulation in the area served by the  
72 commission once each week for four weeks immediately prior  
73 to the hearing, **and shall also be sent to the Missouri**  
74 **department of revenue, which shall publish such notice on**  
75 **its website.**

76 4. The director of the department of revenue shall  
77 submit a report to the state auditor, the speaker of the  
78 house of representatives, and the president pro tem of the  
79 senate no later than February first of each year. The  
80 report shall contain a summary of all information received  
81 by the director pursuant to subsection 1 of this section.

82 5. For the purpose of coordinating all tax increment  
83 financing projects using new state revenues, the director of

84 the department of economic development may promulgate rules  
85 and regulations to ensure compliance with this section.  
86 Such rules and regulations may include methods for  
87 enumerating all of the municipalities which have established  
88 commissions pursuant to section 99.820. No rule or portion  
89 of a rule promulgated under the authority of sections 99.800  
90 to 99.865 shall become effective unless it has been  
91 promulgated pursuant to the provisions of chapter 536. All  
92 rulemaking authority delegated prior to June 27, 1997, is of  
93 no force and effect and repealed; however, nothing in this  
94 section shall be interpreted to repeal or affect the  
95 validity of any rule filed or adopted prior to June 27,  
96 1997, if such rule complied with the provisions of chapter  
97 536. The provisions of this section and chapter 536 are  
98 nonseverable and if any of the powers vested with the  
99 general assembly pursuant to chapter 536 including the  
100 ability to review, to delay the effective date, or to  
101 disapprove and annul a rule or portion of a rule are  
102 subsequently held unconstitutional, then the purported grant  
103 of rulemaking authority and any rule so proposed and  
104 contained in the order of rulemaking shall be invalid and  
105 void.

106         6. The department of economic development shall  
107 provide information and technical assistance, as requested  
108 by any municipality, on the requirements of sections 99.800  
109 to 99.865. Such information and technical assistance shall  
110 be provided in the form of a manual, written in an easy-to-  
111 follow manner, and through consultations with departmental  
112 staff.

113         7. The department of revenue shall provide notice of  
114 any failure to comply with the reporting requirements  
115 provided in subsection 1 of this section to the applicable



116 municipality, specifying any required corrections, by  
117 certified mail addressed to the municipality's chief elected  
118 officer. If such municipality does not satisfy the  
119 reporting requirements for which it previously did not  
120 comply, as specified in the notice from the department of  
121 revenue, within sixty days of the receipt of the notice, the  
122 municipality shall be prohibited from adopting any new tax  
123 increment finance plan for a period of five years from the  
124 date of the department of revenue's notice. All reports  
125 filed pursuant to subsection 1 of this section or in  
126 response to a notice from the department of revenue pursuant  
127 to this subsection shall be deemed accepted by the  
128 department of revenue unless the department of revenue  
129 provides the applicable municipality with a written  
130 objection thereto, specifying any required corrections, by  
131 certified mail addressed to the chief elected officer of the  
132 municipality within sixty days of the municipality's  
133 submission of such report.

134 8. Based upon the information provided in the reports  
135 required under the provisions of this section, the state  
136 auditor shall make available for public inspection on the  
137 auditor's website a searchable electronic database of such  
138 municipal tax increment finance reports. All information  
139 contained within such database shall be maintained for a  
140 period of no less than ten years from initial posting.

238.212. 1. If the petition was filed by registered  
2 voters or by a governing body, the circuit clerk in whose  
3 office the petition was filed shall give notice to the  
4 public by causing one or more newspapers of general  
5 circulation serving the counties or portions thereof  
6 contained in the proposed district to publish once a week

7 for four consecutive weeks a notice substantially in the  
8 following form:

9 NOTICE OF PETITION

10 TO SUBMIT TO A POPULAR VOTE THE CREATION AND  
11 FUNDING OF A TRANSPORTATION DEVELOPMENT DISTRICT

12 Notice is hereby given to all persons residing or  
13 owning property in (here specifically describe the  
14 proposed district boundaries), within the state of  
15 Missouri, that a petition has been filed asking  
16 that upon voter approval, a transportation  
17 development district by the name of "                      
18 Transportation Development District" be formed for  
19 the purpose of developing the following  
20 transportation project: (here summarize the  
21 proposed transportation project or projects). The  
22 petition also requests voter approval of the  
23 following method(s) of funding the district, which  
24 (may) (shall not) increase the total taxes imposed  
25 within the proposed district: (describe the  
26 proposed funding methods). A copy of this petition  
27 is on file and available at the office of the clerk  
28 of the circuit court of                      County, located  
29 at                     , Missouri. You are notified to join  
30 in or file your own petition supporting or answer  
31 opposing the creation of the transportation  
32 development district and requesting a declaratory  
33 judgment, as required by law, no later than the  
34                      day of                     , 20                    . You may  
35 show cause, if any there be, why such petition is  
36 defective or proposed transportation development  
37 district or its funding method, as set forth in the  
38 petition, is illegal or unconstitutional and should  
39 not be submitted for voter approval at a general,  
40 primary or special election as directed by this  
41 court.

42 \_\_\_\_\_

43 \_\_\_\_\_

44 Clerk of the Circuit Court of                      County

45           2. The circuit court may also order a public hearing  
46 on the question of the creation and funding of the proposed  
47 district, if it deems such appropriate, under such terms and  
48 conditions as it deems appropriate. The circuit court shall  
49 order at least one public hearing on the creation and  
50 funding of the proposed district, if the petition for  
51 creating such district was filed by the owners of record of  
52 all real property within the proposed district. If a public  
53 hearing is ordered, notice of the time, date and place of  
54 the hearing shall also be given in the notice specified in  
55 subsection 1 of this section.

56           **3. The notice required by this section shall also be**  
57 **sent to the Missouri department of revenue, which shall**  
58 **publish and maintain such notice on its website.**

238.222. 1. The board shall possess and exercise all  
2 of the district's legislative and executive powers.

3           2. Within thirty days after the election of the  
4 initial directors or the selection of the initial directors  
5 pursuant to subsection 3 of section 238.220, the board shall  
6 meet. The time and place of the first meeting of the board  
7 shall be designated by the court that heard the petition  
8 upon the court's own initiative or upon the petition of any  
9 interested person. At its first meeting and after each  
10 election of new board members or the selection of the  
11 initial directors pursuant to subsection 3 of section  
12 238.220, the board shall elect a chairman from its members.

13           3. The board shall appoint an executive director,  
14 district secretary, treasurer and such other officers or  
15 employees as it deems necessary.

16           4. At the first meeting, the board, by resolution,  
17 shall define the first and subsequent fiscal years of the

18 district, shall adopt a corporate seal, and shall notify the  
19 state auditor as required in subsection 7 of this section.

20 5. A simple majority of the board shall constitute a  
21 quorum. If a quorum exists, a majority of those voting  
22 shall have the authority to act in the name of the board,  
23 and approve any board resolution.

24 6. Each director shall devote such time to the duties  
25 of the office as the faithful discharge thereof may require  
26 and may be reimbursed for his actual expenditures in the  
27 performance of his duties on behalf of the district.

28 7. Any district which has been previously organized  
29 and for which formation was approved prior to August 28,  
30 2016, shall notify the state auditor's office in writing of  
31 the date it was organized and provide contact information  
32 for the current board of directors by December 31, 2016.  
33 Any district organized and formed after August 28, 2016,  
34 shall be required to notify the state auditor's office in  
35 writing of the date it was organized and provide contact  
36 information for the current board of directors within thirty  
37 days of the date of the first meeting of the board under the  
38 provisions of subsection 2 of this section.

39 **8. (1) The governing body of the local transportation**  
40 **authority establishing a district shall, as soon as is**  
41 **practicable, submit the following information to the state**  
42 **auditor and the department of revenue:**

43 **(a) A description of the boundaries of such district**  
44 **as well as the average assessment made against real property**  
45 **located in such district, the rate of property tax levied in**  
46 **such district, or rate of sales tax levied in such district,**  
47 **as applicable;**

48 **(b) Any amendments made to the boundaries of a**  
49 **district or the tax rates levied in such district; and**

50           (c) The date on which the district is terminated.  
51           (2) The governing body of the local transportation  
52 authority establishing a district on or after August 28,  
53 2022, shall not collect any property or sales taxes until  
54 such governing body has submitted the information required  
55 by paragraph (a) of subdivision (1) of this subsection.

✓