

# SENATE BILL NO. 364

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR CARTER.

1480S.01I

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 99.848, 100.050, and 353.110, RSMo, and to enact in lieu thereof three new sections relating to school district property taxes.

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

Section A. Sections 99.848, 100.050, and 353.110, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 99.848, 100.050, and 353.110, to read as follows:

99.848. 1. (1) Notwithstanding subsection 1 of section 99.845, any ambulance district board operating under chapter 190, any fire protection district board operating under chapter 321, [or] any governing body operating a 911 center providing dispatch services under chapter 190 or 321 imposing a property tax for the purposes of providing emergency services pursuant to chapter 190 or 321, **and any public school district** shall be entitled to reimbursement from the special allocation fund in the amount of at least fifty percent but not more than one hundred percent of the district's or 911 center's tax increment. This subsection shall not apply to tax increment financing projects or redevelopment areas approved prior to August 28, 2004.

(2) Beginning August 28, 2018, an ambulance district board operating under chapter 190, a fire protection district board operating under chapter 321, [or] the governing body of a county operating a 911 center providing

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

18 emergency or dispatch services under chapter 190 or 321  
19 imposing a property tax for the purpose of providing  
20 emergency services pursuant to chapter 190 or 321, **and any**  
21 **public school districts** shall annually set the reimbursement  
22 rate under this subsection prior to November thirtieth  
23 preceding the calendar year for which the annual  
24 reimbursement is being set. If the redevelopment plan,  
25 area, or project is amended by ordinance or by other means  
26 after August 28, 2018, the ambulance or fire protection  
27 district board [or], the governing body of a county  
28 operating a 911 center providing emergency or dispatch  
29 services under chapter 190 or 321, **or a public school**  
30 **district** shall have the right to recalculate the  
31 reimbursement rate under this subdivision.

32 2. (1) Notwithstanding subsection 1 of section  
33 99.845, any ambulance district board operating under chapter  
34 190, any fire protection district operating under chapter  
35 321, or any governing body operating a 911 center imposing  
36 an economic activities tax for the purposes of providing  
37 emergency services pursuant to chapter 190 or 321 shall be  
38 entitled to reimbursement from the special allocation fund  
39 in the amount of at least fifty percent but not more than  
40 one hundred percent of the district's or 911 center's tax  
41 increment. This subsection shall not apply to tax increment  
42 financing projects or redevelopment areas approved prior to  
43 August 28, 2021.

44 (2) Beginning August 28, 2021, any ambulance district  
45 board operating under chapter 190, any fire protection  
46 district operating under chapter 321, or any governing body  
47 operating a 911 center providing dispatch services under  
48 chapter 190 or 321 shall annually set the reimbursement rate  
49 under this subsection prior to November thirtieth preceding

50 the calendar year for which the annual reimbursement is  
51 being set. If the redevelopment plan, area, or project is  
52 amended by ordinance or by other means after August 28,  
53 2021, the ambulance or fire protection district board or the  
54 governing body of a county operating a 911 center providing  
55 emergency or dispatch services under chapter 190 or 321  
56 shall have the right to recalculate the reimbursement rate  
57 under this subdivision.

100.050. 1. Any municipality proposing to carry out a  
2 project for industrial development shall first, by majority  
3 vote of the governing body of the municipality, approve the  
4 plan for the project. The plan shall include the following  
5 information pertaining to the proposed project:

6 (1) A description of the project;

7 (2) An estimate of the cost of the project;

8 (3) A statement of the source of funds to be expended  
9 for the project;

10 (4) A statement of the terms upon which the facilities  
11 to be provided by the project are to be leased or otherwise  
12 disposed of by the municipality; and

13 (5) Such other information necessary to meet the  
14 requirements of sections 100.010 to 100.200.

15 2. If the plan for the project is approved after  
16 August 28, 2003, and the project plan involves issuance of  
17 revenue bonds or involves conveyance of a fee interest in  
18 property to a municipality, the project plan shall  
19 additionally include the following information:

20 (1) A statement identifying each school district,  
21 community college district, ambulance district board  
22 operating under chapter 190, fire protection district board  
23 operating under chapter 321, county, or city affected by

24 such project except property assessed by the state tax  
25 commission pursuant to chapters 151 and 153;

26 (2) The most recent equalized assessed valuation of  
27 the real property and personal property included in the  
28 project, and an estimate as to the equalized assessed  
29 valuation of real property and personal property included in  
30 the project after development;

31 (3) An analysis of the costs and benefits of the  
32 project on each school district, community college district,  
33 ambulance district board operating under chapter 190, fire  
34 protection district board operating under chapter 321,  
35 county, or city; and

36 (4) Identification of any payments in lieu of taxes  
37 expected to be made by any lessee of the project, and the  
38 disposition of any such payments by the municipality.

39 3. If the plan for the project is approved after  
40 August 28, 2003, any payments in lieu of taxes expected to  
41 be made by any lessee of the project shall be applied in  
42 accordance with this section. The lessee may reimburse the  
43 municipality for its actual costs of issuing the bonds and  
44 administering the plan. All amounts paid in excess of such  
45 actual costs shall, immediately upon receipt thereof, be  
46 disbursed by the municipality's treasurer or other financial  
47 officer to each school district, community college district,  
48 ambulance district board operating under chapter 190, fire  
49 protection district board operating under chapter 321,  
50 county, or city in proportion to the current ad valorem tax  
51 levy of each school district, community college district,  
52 ambulance district board operating under chapter 190, fire  
53 protection district board operating under chapter 321,  
54 county, or city; however, in any county of the first  
55 classification with more than ninety-three thousand eight

56 hundred but fewer than ninety-three thousand nine hundred  
57 inhabitants, or any county of the first classification with  
58 more than one hundred thirty-five thousand four hundred but  
59 fewer than one hundred thirty-five thousand five hundred  
60 inhabitants, if the plan for the project is approved after  
61 May 15, 2005, such amounts shall be disbursed by the  
62 municipality's treasurer or other financial officer to each  
63 affected taxing entity in proportion to the current ad  
64 valorem tax levy of each affected taxing entity.

65 4. Notwithstanding the provisions of subsection 3 of  
66 this section to the contrary, beginning August 28, 2018, any  
67 district or county imposing a property tax for the purposes  
68 of providing emergency services under chapter 190 or 321 to  
69 the project area, **and any public school district**, shall be  
70 entitled to be reimbursed in an amount that is at least  
71 fifty percent but not more than one hundred percent of the  
72 amount of ad valorem property tax revenues that such  
73 district or county would have received in the absence of a  
74 tax abatement or exemption provided to property included in  
75 the project. An ambulance district board operating under  
76 chapter 190, a fire protection district board operating  
77 under chapter 321, [or] the governing body of a county  
78 operating a 911 center providing emergency or dispatch  
79 services under chapter 190 or 321, **or a public school**  
80 **district** shall annually set the reimbursement rate provided  
81 in this subsection prior to the time the assessment is  
82 determined by the assessor of the county in which the  
83 project is located, or, if not located within a county, then  
84 the assessor of such city. If the plan is amended by  
85 ordinance or by any other means after August 28, 2018, the  
86 ambulance or fire protection district [or], the governing  
87 body of a county operating a 911 center providing emergency

88 or dispatch services under chapter 190 or 321, **or a public**  
89 **school district** shall have the right to recalculate the  
90 reimbursement rate pursuant to this subsection.

353.110. 1. Once the requirements of this section  
2 have been complied with, the real property of urban  
3 redevelopment corporations acquired pursuant to this chapter  
4 shall not be subject to assessment or payment of general ad  
5 valorem taxes imposed by the cities affected by this law, or  
6 by the state or any political subdivision thereof, for a  
7 period not in excess of ten years after the date upon which  
8 such corporations become owners of such real property,  
9 except to such extent and in such amount as may be imposed  
10 upon such real property during such period measured solely  
11 by the amount of the assessed valuation of the land,  
12 exclusive of improvements, acquired pursuant to this chapter  
13 and owned by such urban redevelopment corporation, as was  
14 determined by the assessor of the county in which such real  
15 property is located, or, if not located within a county,  
16 then by the assessor of such city, for taxes due and payable  
17 thereon during the calendar year preceding the calendar year  
18 during which the corporation acquired title to such real  
19 property. The amounts of such tax assessments shall not be  
20 increased during such period so long as the real property is  
21 owned by an urban redevelopment corporation and used in  
22 accordance with a development plan authorized by the  
23 legislative authority of such cities, except as provided  
24 under subsection 4 of this section.

25 2. In the event, however, that any such real property  
26 was tax exempt immediately prior to ownership by any urban  
27 redevelopment corporation, such assessor or assessors shall,  
28 upon acquisition of title thereto by the urban redevelopment  
29 corporation, promptly assess such land, exclusive of

30 improvements, at such valuation as shall conform to but not  
31 exceed the assessed valuation made during the preceding  
32 calendar year of other land, exclusive of improvements,  
33 adjacent thereto or in the same general neighborhood, and  
34 the amount of such assessed valuation shall not be increased  
35 during the period set pursuant to subsection 1 of this  
36 section so long as the real property is owned by an urban  
37 redevelopment corporation and used in accordance with a  
38 development plan authorized by the legislative authority of  
39 such cities. For the next ensuing period not in excess of  
40 fifteen years, ad valorem taxes upon such real property  
41 shall be measured by the assessed valuation thereof as  
42 determined by such assessor or assessors upon the basis of  
43 not to exceed fifty percent of the true value of such real  
44 property, including any improvements thereon, nor shall such  
45 valuations be increased above fifty percent of the true  
46 value of such real property from year to year during such  
47 next ensuing period so long as the real property is owned by  
48 an urban redevelopment corporation and used in accordance  
49 with an authorized development plan. After a period  
50 totaling not more than twenty-five years, such real property  
51 shall be subject to assessment and payment of all ad valorem  
52 taxes, based on the full true value of the real property;  
53 provided, that after the completion of the redevelopment  
54 project, as authorized by law or ordinance whenever any  
55 urban redevelopment corporation shall elect to pay full  
56 taxes, or at the expiration of the period, such real  
57 property shall be owned and operated free from any of the  
58 conditions, restrictions or provisions of this chapter, and  
59 of any ordinance, rule or regulation adopted pursuant  
60 thereto, any other law limiting the right of domestic and

61 foreign insurance companies to own and operate real estate  
62 to the contrary notwithstanding.

63 3. No tax abatement or exemption authorized by this  
64 section shall become effective unless and until the  
65 governing body of the city:

66 (1) Furnishes each political subdivision whose  
67 boundaries for ad valorem taxation purposes include any  
68 portion of the real property to be affected by such tax  
69 abatement or exemption with a written statement of the  
70 impact on ad valorem taxes such tax abatement or exemption  
71 will have on such political subdivisions and written notice  
72 of the hearing to be held in accordance with subdivision (2)  
73 of this subsection. The written statement and notice  
74 required by this subdivision shall be furnished as provided  
75 by local ordinance before the hearing and shall include, but  
76 need not be limited to, an estimate of the amount of ad  
77 valorem tax revenues of each political subdivision which  
78 will be affected by the proposed tax abatement or exemption,  
79 based on the estimated assessed valuation of the real  
80 property involved as such property would exist before and  
81 after it is redeveloped;

82 (2) Conducts a public hearing regarding such tax  
83 abatement or exemption, at which hearing all political  
84 subdivisions described in subdivision (1) of this subsection  
85 shall have the right to be heard on such grant of tax  
86 abatement or exemption;

87 (3) Enacts an ordinance which provides for expiration  
88 of development rights, including the rights of eminent  
89 domain and tax abatement, in the event of failure of the  
90 urban redevelopment corporation to acquire ownership of  
91 property within the area of the development plan. Such  
92 ordinance shall provide for a duration of time within which



93 such property must be acquired, and may allow for  
94 acquisition of property under the plan in phases.

95 4. (1) Notwithstanding any other provision of law to  
96 the contrary, payments in lieu of taxes may be imposed by  
97 contract between a city and an urban redevelopment  
98 corporation which receives tax abatement or exemption on  
99 property pursuant to this section. Such payments shall be  
100 made to the collector of revenue of the county or city not  
101 within a county by December thirty-first of each year  
102 payments are due. The governing body of the city shall  
103 furnish the collector a copy of any such contract requiring  
104 payment in lieu of taxes. The collector shall allocate all  
105 revenues received from such payment in lieu of taxes among  
106 all taxing authorities whose property tax revenues are  
107 affected by the exemption or abatement on the same pro rata  
108 basis and in the same manner as the ad valorem property tax  
109 revenues received by each taxing authority from such  
110 property in the year such payments are due.

111 (2) (a) The provisions of subsection 1 of this  
112 section and subdivision (1) of this subsection  
113 notwithstanding, beginning August 28, 2018, any district or  
114 county imposing a property tax for the purposes of providing  
115 emergency services under chapter 190 or 321, **and any public**  
116 **school district**, shall be entitled to be reimbursed in an  
117 amount that is at least fifty percent but not more than one  
118 hundred percent of the amount of ad valorem property tax  
119 revenues that the district or county would have received in  
120 the absence of the tax abatement or exemption provided under  
121 this section.

122 (b) An ambulance district board operating under  
123 chapter 190, a fire protection district board operating  
124 under chapter 321, [or] the governing body of a county

125 operating a 911 center providing emergency or dispatch  
126 services under chapter 190 or 321, **or a public school**  
127 **district** shall annually set the reimbursement rate under  
128 paragraph (a) of this subdivision prior to the time the  
129 assessment is determined by the assessor of the county in  
130 which such district is located, or, if not located within a  
131 county, then the assessor of such city. If the development  
132 plan or redevelopment project is amended by ordinance or by  
133 any other means after August 28, 2018, the ambulance or fire  
134 protection district board **or the public school district**  
135 shall have the right to recalculate the reimbursement rate  
136 under this subdivision.

137 5. The provisions of subsection 3 of this section  
138 shall not apply to any amendment or future amendment to a  
139 phased development plan approved by the governing body of  
140 the city prior to the effective date of the provisions of  
141 subsection 3 of this section and upon which construction has  
142 been in progress pursuant to such phased plan.

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