

SENATE BILL NO. 613

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHNELTING.

2386S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 67.453, RSMo, and to enact in lieu thereof one new section relating to neighborhood improvement districts.

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

Section A. Section 67.453, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 67.453, to read as follows:

67.453. Sections 67.453 to 67.475 are known and may be cited as the "Neighborhood Improvement District Act", and the following words and terms, as used in sections 67.453 to 67.475 mean:

(1) "Acquire", the acquisition of property or interests in property by purchase, gift, condemnation or other lawful means and may include the acquisition of existing property and improvements already owned by the city or county;

(2) "Consultant", engineers, architects, planners, attorneys, financial advisors, accountants, investment bankers and other persons deemed competent to advise and assist the governing body of the city or county in planning and making improvements;

(3) "Cost", all costs incurred in connection with an improvement, including, but not limited to, costs incurred for the preparation of preliminary reports, the preparation of plans and specifications, the preparation and publication

19 of notices of hearings, resolutions, ordinances and other
20 proceedings, fees and expenses of consultants, interest
21 accrued on borrowed money during the period of construction,
22 underwriting costs and other costs incurred in connection
23 with the issuance of bonds or notes, establishment of
24 reasonably required reserve funds for bonds or notes, the
25 cost of land, materials, labor and other lawful expenses
26 incurred in planning, acquiring and doing any improvement,
27 reasonable construction contingencies, and work done or
28 services performed by the city or county in the
29 administration and supervision of the improvement;

30 (4) "Improve", to construct, reconstruct, maintain,
31 restore, replace, renew, repair, install, equip, extend, or
32 to otherwise perform any work which will provide a new
33 public facility or enhance, extend or restore the value or
34 utility of an existing public facility;

35 (5) "Improvement", any one or more public facilities
36 or improvements which confer a benefit on property within a
37 definable area and may include or consist of a reimprovement
38 of a prior improvement. Improvements include, but are not
39 limited to, the following activities:

40 (a) To acquire property or interests in property when
41 necessary or desirable for any purpose authorized by
42 sections 67.453 to 67.475;

43 (b) To open, widen, extend and otherwise to improve
44 streets, paving and other surfacing, gutters, curbs,
45 sidewalks, crosswalks, driveway entrances and structures,
46 drainage works incidental thereto, and service connections
47 from sewer, water, gas and other utility mains, conduits or
48 pipes;

49 (c) To improve main and lateral storm water drains and
50 sanitary sewer systems, and appurtenances thereto;

- 51 (d) To improve street lights and street lighting
52 systems;
- 53 (e) To improve waterworks systems;
- 54 (f) To partner with a telecommunications company or
55 broadband service provider in order to construct or improve
56 telecommunications facilities which shall be wholly owned
57 and operated by the telecommunications company or broadband
58 service provider, as the terms "telecommunications company"
59 and "telecommunications facilities" are defined in section
60 386.020 and subject to the provisions of section 392.410,
61 that are in an unserved or underserved area, as defined in
62 section 620.2450. Before any facilities are improved or
63 constructed as a result of this section, the area shall be
64 certified as unserved or underserved by the director of
65 broadband development within the department of economic
66 development;
- 67 (g) To improve parks, playgrounds and recreational
68 facilities;
- 69 (h) To improve any street or other facility by
70 landscaping, planting of trees, shrubs, and other plants;
- 71 (i) To improve dikes, levees and other flood control
72 works, gates, lift stations, bridges and streets appurtenant
73 thereto, **including any river or creek bank erosion**
74 **mitigation projects, regardless of whether or not such**
75 **projects confer a benefit solely to private property owners;**
- 76 (j) To improve vehicle and pedestrian bridges,
77 overpasses and tunnels;
- 78 (k) To improve retaining walls and area walls on
79 public ways or land abutting thereon;
- 80 (l) To improve property for off-street parking
81 facilities including construction and equipment of buildings
82 thereon;

83 (m) To acquire or improve any other public facilities
84 or improvements deemed necessary by the governing body of
85 the city or county; and

86 (n) To improve public safety;

87 (6) "Neighborhood improvement district", an area of a
88 city or county with defined limits and boundaries which is
89 created by vote or by petition under sections 67.453 to
90 67.475 and which is benefitted by an improvement and subject
91 to special assessments against the real property therein for
92 the cost of the improvement.

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