

SENATE BILL NO. 822

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASHINGTON.

2986S.04I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 99, RSMo, by adding thereto four new sections relating to financial incentives for certain entertainment facilities.

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

Section A. Chapter 99, RSMo, is amended by adding thereto
2 four new sections, to be known as sections 99.1220, 99.1223,
3 99.1226, and 99.1230, to read as follows:

99.1220. 1. Sections 99.1220 to 99.1230 shall be
2 known and may be cited as the "Missouri Entertainment
3 Facility - Capital Assistance Program" or "MEF-CAP".

4 2. Insofar as the provisions of sections 99.1220 to
5 99.1230 are inconsistent with the provisions of any other
6 law, the provisions of sections 99.1220 to 99.1230 shall be
7 controlling.

8 3. As used in sections 99.1220 to 99.1230, the
9 following terms shall mean:

10 (1) "Department", the Missouri department of economic
11 development;

12 (2) "Entertainment facility", any sports stadium,
13 arena, or related facility which has as its primary purpose
14 use for professional sports or entertainment events;

15 (3) "MDFB", the Missouri development finance board;

16 (4) "Professional sports franchise", any professional
17 sports team that is a member of Major League Baseball, the
18 National Football League, the National Basketball

19 Association, the National Hockey League, Major League
20 Soccer, the Women's National Basketball Association, or the
21 National Women's Soccer League;

22 (5) "Project costs", the costs of acquiring,
23 constructing, improving, or renovating an entertainment
24 facility, including:

25 (a) Land acquisition and site preparation;

26 (b) Construction and materials;

27 (c) Professional services related to the project;

28 (d) Financing costs; and

29 (e) Infrastructure improvements directly related to
30 the facility;

31 (6) "Qualified project", an entertainment facility
32 project that meets all eligibility requirements under
33 section 99.1223;

34 (7) "State assistance", financial support provided
35 pursuant to sections 99.1220 to 99.1230 through any
36 combination of state tax increment financing revenues,
37 withholding tax retention, or matching grants.

99.1223. 1. There is hereby established the "Missouri
2 Entertainment Facility - Capital Assistance Program" to be
3 administered by the department with oversight from the MDFB.

4 2. To be eligible for state assistance pursuant to
5 sections 99.1220 to 99.1230, a project shall meet all of the
6 following criteria:

7 (1) Have total project costs of at least two hundred
8 fifty million dollars;

9 (2) Include an entertainment facility with seating
10 capacity of at least twenty thousand persons;

11 (3) Have committed private funding of at least thirty-
12 three percent of total project costs;

13 (4) Have local government support through a resolution
14 from the local governing body committing to either:

15 (a) Provide at least ten percent of project costs; or

16 (b) Provide other support and expressing a desire that
17 the state provide support;

18 (5) Demonstrate significant economic impact through an
19 independent economic impact study showing:

20 (a) The creation or retention of permanent jobs;

21 (b) Net new economic activity or retention of economic
22 activity; and

23 (c) Increased tax revenue to the state of Missouri;

24 (6) Include a binding commitment from any professional
25 sports franchise that will be the primary tenant to:

26 (a) Enter into a lease of at least twenty-five years;

27 (b) Maintain the team's primary operations in Missouri
28 for at least twenty-five years; and

29 (c) Repay all state assistance received if the team
30 relocates during the commitment period.

31 3. (1) For qualified projects, state assistance may
32 include:

33 (a) Up to fifty percent of incremental state sales and
34 income taxes generated by the project through state tax
35 increment financing for up to twenty-five years;

36 (b) Retention of fifty percent of state withholding
37 taxes from new jobs created for up to twenty-five years; and

38 (c) State matching grants of up to twenty-five percent
39 of total project costs, not to exceed one hundred million
40 dollars per project.

41 (2) Total state assistance through all programs
42 authorized by sections 99.1220 to 99.1230 shall not exceed
43 thirty-three percent of total project costs.

44 (3) State assistance provided pursuant to sections
45 99.1220 to 99.1230 may be used in combination with local
46 economic development incentives, tax abatements, federal
47 grants or incentives, or other economic development
48 programs, provided that the total amount of public
49 assistance from all sources shall not exceed seventy-five
50 percent of total project costs, or the project shall be
51 deemed ineligible.

52 4. (1) Projects receiving assistance pursuant to
53 sections 99.1220 to 99.1230 shall be eligible for expedited
54 consideration for:

55 (a) Up to ten million dollars annually from the tax
56 imposed pursuant to section 143.183 for up to thirty years;
57 and

58 (b) Up to fifty million dollars over three years from
59 the MDFB.

60 (2) The department shall create procedures for
61 projects receiving assistance pursuant to sections 99.1220
62 to 99.1230 to engage in a preferred application process for
63 the funds provided in this subsection.

64 (3) Funding pursuant to this subsection shall be in
65 addition to other state assistance authorized pursuant to
66 sections 99.1220 to 99.1230.

67 5. There is hereby created in the state treasury the
68 "State Supplemental Entertainment Facility Fund", which
69 shall consist of any moneys appropriated by the general
70 assembly, as well as from any grants, gifts, bequests, or
71 other payments from any source. The state treasurer shall
72 be custodian of the fund. In accordance with sections
73 30.170 and 30.180, the state treasurer may approve
74 disbursements. Notwithstanding the provisions of section
75 33.080 to the contrary, any moneys remaining in the fund at

76 the end of the biennium shall not revert to the credit of
77 the general revenue fund. The state treasurer shall invest
78 moneys in the fund in the same manner as other funds are
79 invested. Any interest and moneys earned on such
80 investments shall be credited to the fund. The fund shall
81 be administered by the department, which shall use the fund
82 to provide assistance authorized by sections 99.1220 to
83 99.1230.

99.1226. 1. Applications for state assistance shall
2 be submitted to the department in such form and manner as
3 prescribed by the department.

4 2. Applications shall include, but not be limited to:

- 5 (1) Detailed project plans and specifications;
- 6 (2) Project budget and timeline;
- 7 (3) Evidence of meeting all eligibility requirements;
- 8 (4) Economic impact analysis;
- 9 (5) Financial projections and funding commitments;
- 10 (6) A clear outline of the type or types of state

11 assistance requested, and the amount of each type of state
12 assistance requested;

13 (7) A binding commitment from any professional sports
14 franchise that will be the primary tenant to:

15 (a) Enter into a lease of at least twenty-five years;

16 (b) Maintain the team's primary operations in Missouri
17 for at least twenty-five years; and

18 (c) Repay all state assistance received if the team
19 relocates during the commitment period; and

20 (8) Any other information required by the department.

21 3. (1) The department shall review applications and
22 make recommendations to the MDFB within ninety days of
23 receiving a completed application.

24 (2) The MDFB shall approve or deny applications within
25 sixty days of receiving the department's recommendation.

26 (3) Upon approval, the department shall issue a
27 certificate outlining the terms and conditions of state
28 assistance.

 99.1230. 1. Any qualified project receiving
2 assistance pursuant to sections 99.1220 to 99.1230 shall
3 submit annual reports to the department, which shall include
4 such information as the department deems appropriate.

5 2. The department shall establish procedures for
6 monitoring compliance with the requirements of sections
7 99.1220 to 99.1230.

8 3. Any state assistance received shall be subject to
9 repayment with interest if:

10 (1) A professional sports franchise relocates during
11 its commitment period;

12 (2) The project fails to maintain eligibility
13 requirements; or

14 (3) The recipient is found to have violated the
15 provisions of sections 99.1220 to 99.1230 or made a
16 misrepresentation on their application.

17 4. The department shall promulgate rules to implement
18 the provisions of sections 99.1220 to 99.1230. Any rule or
19 portion of a rule, as that term is defined in section
20 536.010, that is created under the authority delegated in
21 this section shall become effective only if it complies with
22 and is subject to all of the provisions of chapter 536 and,
23 if applicable, section 536.028. This section and chapter
24 536 are nonseverable and if any of the powers vested with
25 the general assembly pursuant to chapter 536 to review, to
26 delay the effective date, or to disapprove and annul a rule
27 are subsequently held unconstitutional, then the grant of

28 rulemaking authority and any rule proposed or adopted after
29 August 28, 2025, shall be invalid and void.

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