

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NOS. 1524 & 1580
103RD GENERAL ASSEMBLY

3020H.02C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 67.1461, RSMo, and section 67.1421 as enacted by house bill no. 1606, one hundred first general assembly, second regular session, and section 67.1421 as enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular session, and to enact in lieu thereof three new sections relating to an entertainment district.

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

Section A. Section 67.1461, RSMo, and section 67.1421 as enacted by house bill no. 2 1606, one hundred first general assembly, second regular session, and section 67.1421 as 3 enacted by senate bills nos. 153 & 97, one hundred first general assembly, first regular 4 session, are repealed and three new sections enacted in lieu thereof, to be known as sections 5 67.1421, 67.1461, and 67.1505, to read as follows:

- ~~[67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the governing body of the municipality in which the proposed district is located shall hold a public hearing in accordance with section 67.1431 and may adopt an ordinance to establish the proposed district.~~
- ~~2. A petition is proper if, based on the tax records of the county clerk, or the collector of revenue if the district is located in a city not within a county, as of the time of filing the petition with the municipal clerk, it meets the following requirements:~~
- ~~(1) It has been signed by property owners collectively owning more than fifty percent by assessed value of the real property within the boundaries of the proposed district;~~
- ~~(2) It has been signed by more than fifty percent per capita of all owners of real property within the boundaries of the proposed district; and~~
- ~~(3) It contains the following information:~~
- ~~(a) The legal description of the proposed district, including a map illustrating the district boundaries;~~
- ~~(b) The name of the proposed district;~~

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 ~~(c) A notice that the signatures of the signers may not be withdrawn~~
19 ~~later than seven days after the petition is filed with the municipal clerk;~~

20 ~~(d) A five-year plan stating a description of the purposes of the~~
21 ~~proposed district, the services it will provide, each improvement it will make~~
22 ~~from the list of allowable improvements under section 67.1461, an estimate of~~
23 ~~the costs of these services and improvements to be incurred, the anticipated~~
24 ~~sources of funds to pay the costs, and the anticipated term of the sources of~~
25 ~~funds to pay the costs;~~

26 ~~(e) A statement as to whether the district will be a political subdivision~~
27 ~~or a not for profit corporation and if it is to be a not for profit corporation, the~~
28 ~~name of the not for profit corporation;~~

29 ~~(f) If the district is to be a political subdivision, a statement as to~~
30 ~~whether the district will be governed by a board elected by the district or~~
31 ~~whether the board will be appointed by the municipality, and, if the board is to~~
32 ~~be elected by the district, the names and terms of the initial board may be~~
33 ~~stated;~~

34 ~~(g) If the district is to be a political subdivision, the number of~~
35 ~~directors to serve on the board;~~

36 ~~(h) The total assessed value of all real property within the proposed~~
37 ~~district;~~

38 ~~(i) A statement as to whether the petitioners are seeking a~~
39 ~~determination that the proposed district, or any legally described portion~~
40 ~~thereof, is a blighted area;~~

41 ~~(j) The proposed length of time for the existence of the district, which~~
42 ~~in the case of districts established after August 28, 2021, shall not exceed~~
43 ~~twenty-seven years from the adoption of the ordinance establishing the district~~
44 ~~unless the municipality extends the length of time under section 67.1481;~~

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

49 ~~(l) The maximum rates of special assessments and respective methods~~
50 ~~of assessment that may be proposed by petition;~~

51 ~~(m) The limitations, if any, on the borrowing capacity of the district;~~

52 ~~(n) The limitations, if any, on the revenue generation of the district;~~

53 ~~(o) Other limitations, if any, on the powers of the district;~~

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

55 ~~(q) Any other items the petitioners deem appropriate;~~

56 ~~(4) The signature block for each real property owner signing the~~
57 ~~petition shall be in substantially the following form and contain the following~~
58 ~~information:~~

59 Name of owner: _____

60 Owner's telephone number and mailing address: _____

61 If signer is different from owner:

62 Name of signer: _____

63 State basis of legal authority to sign: _____

107 any legally described portion thereof, constitutes a blighted area. If the
108 petition was filed by the governing body of a municipality pursuant to
109 subdivision (5) of subsection 2 of this section, after the close of the public
110 hearing required pursuant to subsection 1 of this section, the petition may be
111 approved by the governing body and an election shall be called pursuant to
112 section 67.1422.

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

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

120 (2) At any time after the public hearing and prior to the adoption of an
121 ordinance establishing the proposed district; provided that, notice of the
122 amendments to the petition is given by publishing the notice in a newspaper of
123 general circulation within the municipality and by sending the notice via
124 registered certified United States mail with a return receipt attached to the
125 address of record of each owner of record of real property within the
126 boundaries of the proposed district per the tax records of the county clerk, or
127 the collector of revenue if the district is located in a city not within a county.
128 Such notice shall be published and mailed not less than ten days prior to the
129 adoption of the ordinance establishing the district. Such notice shall also be
130 sent to the Missouri department of revenue, which shall publish such notice on
131 its website;

132 (3) At any time after the adoption of any ordinance establishing the
133 district a public hearing on the amended petition is held and notice of the
134 public hearing is given in the manner provided in section 67.1431 and the
135 governing body of the municipality in which the district is located adopts an
136 ordinance approving the amended petition after the public hearing is held.

137 6. Upon the creation of a district, the municipal clerk shall report in
138 writing the creation of such district to the Missouri department of economic
139 development and the state auditor.

140 7. (1) The governing body of the municipality or county establishing a
141 district or the governing body of such district shall, as soon as is practicable,
142 submit the following information to the state auditor and the department of
143 revenue:

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

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

148 (c) The date on which the district is to expire unless sooner terminated.

149 (2) The governing body of a community improvement district
150 established on or after August 28, 2022, shall not order any assessment to be
151 made on any real property located within a district and shall not levy any
152 property or sales tax until the information required by paragraph (a) of
153 subdivision (1) of this subsection has been submitted.]

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

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

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

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

(3) It contains the following information:

(a) The legal description of the proposed district, including a map illustrating the district boundaries;

(b) The name of the proposed district;

(c) A notice that the signatures of the signers may not be withdrawn later than seven days after the petition is filed with the municipal clerk;

(d) A five-year plan stating a description of the purposes of the proposed district, the services it will provide, each improvement it will make from the list of allowable improvements under section 67.1461, an estimate of the costs of these services and improvements to be incurred, the anticipated sources of funds to pay the costs, and the anticipated term of the sources of funds to pay the costs;

(e) A statement as to whether the district will be a political subdivision or a not-for-profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit corporation;

(f) If the district is to be a political subdivision, a statement as to whether the district will be governed by a board elected by the district or whether the board will be appointed by the municipality, and, if the board is to be elected by the district, the names and terms of the initial board may be stated;

(g) If the district is to be a political subdivision, the number of directors to serve on the board;

(h) The total assessed value of all real property within the proposed district;

(i) A statement as to whether the petitioners are seeking a determination that the proposed district, or any legally described portion thereof, is a blighted area;

(j) The proposed length of time for the existence of the district, which in the case of districts established after August 28, 2021, shall not exceed twenty-seven years from the

37 adoption of the ordinance establishing the district unless the municipality extends the length
38 of time under section 67.1481;

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

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

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

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

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

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

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

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

52 Name of owner: _____

53 Owner's telephone number and mailing address: _____

54 If signer is different from owner:

55 Name of signer: _____

56 State basis of legal authority to sign: _____

57 Signer's telephone number and mailing address: _____

58 If the owner is an individual, state if owner is single or married: _____

59 If owner is not an individual, state what type of entity: _____

60 Map and parcel number and assessed value of each tract of real
61 property within the proposed district owned: _____

62 By executing this petition, the undersigned represents and warrants that
63 he or she is authorized to execute this petition on behalf of the property
64 owner named immediately above

65 _____

66 Signature of person

Date

67 signing for owner

68 STATE OF MISSOURI)

69) ss.

70 COUNTY OF _____)

71 Before me personally appeared _____, to me personally known to be
72 the individual described in and who executed the foregoing instrument.

73 WITNESS my hand and official seal this _____ day of _____
74 (month), _____ (year).

75 _____
76 _____
77 Notary Public

78 My Commission Expires: _____ ; [~~and~~]

79 (5) Alternatively, the governing body of any home rule city with more than four
80 hundred thousand inhabitants and located in more than one county may file a petition to
81 initiate the process to establish a district in the portion of the city located in any county of the
82 first classification with more than two hundred thousand but fewer than two hundred sixty
83 thousand inhabitants containing the information required in subdivision (3) of this subsection;
84 provided that the only funding methods for the services and improvements will be a real
85 property tax; **and**

86 **(6) (a) As used in this subdivision, "entertainment district" means an area**
87 **located in a city not within a county, in the area locally known as the city's downtown or**
88 **central business district, that contains a minimum of one hundred acres and a**
89 **combination of entertainment venues including, but not limited to, venues such as**
90 **arenas, amusement centers, auditoriums, athletic facilities, bars, hotels, concert halls,**
91 **convention facilities, music venues, nightclubs, restaurants, and other entertainment**
92 **facilities.**

93 **(b) Notwithstanding any other provision of this section to the contrary, if the**
94 **district established is to be an entertainment district, the requirement in subdivision (2)**
95 **of subsection 2 of this section shall not apply.**

96 3. Upon receipt of a petition the municipal clerk shall, within a reasonable time not to
97 exceed ninety days after receipt of the petition, review and determine whether the petition
98 substantially complies with the requirements of subsection 2 of this section. In the event the
99 municipal clerk receives a petition which does not meet the requirements of subsection 2 of
100 this section, the municipal clerk shall, within a reasonable time, return the petition to the
101 submitting party by hand delivery, first class mail, postage prepaid or other efficient means of
102 return and shall specify which requirements have not been met.

103 4. After the close of the public hearing required pursuant to subsection 1 of this
104 section, the governing body of the municipality may adopt an ordinance approving the
105 petition and establishing a district as set forth in the petition and may determine, if requested
106 in the petition, whether the district, or any legally described portion thereof, constitutes a
107 blighted area. If the petition was filed by the governing body of a municipality pursuant to
108 subdivision (5) of subsection 2 of this section, after the close of the public hearing required

109 pursuant to subsection 1 of this section, the petition may be approved by the governing body
110 and an election shall be called pursuant to section 67.1422.

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

115 (1) At any time prior to the close of the public hearing required pursuant to subsection
116 1 of this section; provided that, notice of the contents of the amended petition is given at the
117 public hearing;

118 (2) At any time after the public hearing and prior to the adoption of an ordinance
119 establishing the proposed district; provided that, notice of the amendments to the petition is
120 given by publishing the notice in a newspaper of general circulation within the municipality
121 and by sending the notice via registered certified United States mail with a return receipt
122 attached to the address of record of each owner of record of real property within the
123 boundaries of the proposed district per the tax records of the county clerk, or the collector of
124 revenue if the district is located in a city not within a county. Such notice shall be published
125 and mailed not less than ten days prior to the adoption of the ordinance establishing the
126 district;

127 (3) At any time after the adoption of any ordinance establishing the district a public
128 hearing on the amended petition is held and notice of the public hearing is given in the
129 manner provided in section 67.1431 and the governing body of the municipality in which the
130 district is located adopts an ordinance approving the amended petition after the public hearing
131 is held.

132 6. Upon the creation of a district, the municipal clerk shall report in writing the
133 creation of such district to the Missouri department of economic development and the state
134 auditor.

67.1461. 1. Each district shall have all the powers, except to the extent any such
2 power has been limited by the petition approved by the governing body of the municipality to
3 establish the district, necessary to carry out and effectuate the purposes and provisions of
4 sections 67.1401 to 67.1571 including, but not limited to, the following:

5 (1) To adopt, amend, and repeal bylaws, not inconsistent with sections 67.1401 to
6 67.1571, necessary or convenient to carry out the provisions of sections 67.1401 to 67.1571;

7 (2) To sue and be sued;

8 (3) To make and enter into contracts and other instruments, with public and private
9 entities, necessary or convenient to exercise its powers and carry out its duties pursuant to
10 sections 67.1401 to 67.1571;

11 (4) To accept grants, guarantees and donations of property, labor, services, or other
12 things of value from any public or private source;

13 (5) To employ or contract for such managerial, engineering, legal, technical, clerical,
14 accounting, or other assistance as it deems advisable;

15 (6) To acquire by purchase, lease, gift, grant, bequest, devise, or otherwise, any real
16 property within its boundaries, personal property, or any interest in such property;

17 (7) To sell, lease, exchange, transfer, assign, mortgage, pledge, hypothecate, or
18 otherwise encumber or dispose of any real or personal property or any interest in such
19 property;

20 (8) To levy and collect special assessments and taxes as provided in sections 67.1401
21 to 67.1571. However, no such assessments or taxes shall be levied on any property exempt
22 from taxation pursuant to subdivision (5) of section 137.100. Those exempt pursuant to
23 subdivision (5) of section 137.100 may voluntarily participate in the provisions of sections
24 67.1401 to 67.1571;

25 (9) If the district is a political subdivision, to levy real property taxes and business
26 license taxes in the county seat of a county of the first classification containing a population
27 of at least two hundred thousand, as provided in sections 67.1401 to 67.1571. However, no
28 such assessments or taxes shall be levied on any property exempt from taxation pursuant to
29 subdivisions (2) and (5) of section 137.100. Those exempt pursuant to subdivisions (2) and
30 (5) of section 137.100 may voluntarily participate in the provisions of sections 67.1401 to
31 67.1571;

32 (10) If the district is a political subdivision, to levy sales taxes pursuant to sections
33 67.1401 to 67.1571;

34 (11) To fix, charge, and collect fees, rents, and other charges for use of any of the
35 following:

36 (a) The district's real property, except for public rights-of-way for utilities;

37 (b) The district's personal property, except in a city not within a county; or

38 (c) Any of the district's interests in such real or personal property, except for public
39 rights-of-way for utilities;

40 (12) To borrow money from any public or private source and issue obligations and
41 provide security for the repayment of the same as provided in sections 67.1401 to 67.1571;

42 (13) To loan money as provided in sections 67.1401 to 67.1571;

43 (14) To make expenditures, create reserve funds, and use its revenues as necessary to
44 carry out its powers or duties and the provisions and purposes of sections 67.1401 to 67.1571;

45 (15) To enter into one or more agreements with the municipality for the purpose of
46 abating any public nuisance within the boundaries of the district including, but not limited to,

47 the stabilization, repair or maintenance or demolition and removal of buildings or structures,
48 provided that the municipality has declared the existence of a public nuisance;

49 (16) Within its boundaries, to provide assistance to or to construct, reconstruct,
50 install, repair, maintain, and equip any of the following public improvements:

51 (a) Pedestrian or shopping malls and plazas;

52 (b) Parks, lawns, trees, and any other landscape;

53 (c) Convention centers, arenas, aquariums, aviaries, and meeting facilities;

54 (d) Sidewalks, streets, alleys, bridges, ramps, tunnels, overpasses and underpasses,
55 traffic signs and signals, utilities, drainage, water, storm and sewer systems, and other site
56 improvements;

57 (e) Parking lots, garages, or other facilities;

58 (f) Lakes, dams, and waterways;

59 (g) Streetscape, lighting, benches or other seating furniture, trash receptacles,
60 marquees, awnings, canopies, walls, and barriers;

61 (h) Telephone and information booths, bus stop and other shelters, rest rooms, and
62 kiosks;

63 (i) Paintings, murals, display cases, sculptures, and fountains;

64 (j) Music, news, and child-care facilities; and

65 (k) Any other useful, necessary, or desired public improvement specified in the
66 petition or any amendment;

67 (17) To dedicate to the municipality, with the municipality's consent, streets,
68 sidewalks, parks, and other real property and improvements located within its boundaries for
69 public use;

70 (18) Within its boundaries and with the municipality's consent, to prohibit or restrict
71 vehicular and pedestrian traffic and vendors on streets, alleys, malls, bridges, ramps,
72 sidewalks, and tunnels and to provide the means for access by emergency vehicles to or in
73 such areas;

74 (19) Within its boundaries, to operate or to contract for the provision of music, news,
75 child-care, or parking facilities, and buses, minibuses, or other modes of transportation;

76 (20) Within its boundaries, to lease space for sidewalk café tables and chairs;

77 (21) Within its boundaries, to provide or contract for the provision of security
78 personnel, equipment, or facilities for the protection of property and persons;

79 (22) Within its boundaries, to provide or contract for cleaning, maintenance, and
80 other services to public and private property;

81 (23) To produce and promote any tourism, recreational or cultural activity or special
82 event in the district by, but not limited to, advertising, decoration of any public place in the

83 district, promotion of such activity and special events, and furnishing music in any public
84 place;

85 (24) To support business activity and economic development in the district including,
86 but not limited to, the promotion of business activity, development and retention, and the
87 recruitment of developers and businesses;

88 (25) To provide or support training programs for employees of businesses within the
89 district;

90 (26) To provide refuse collection and disposal services within the district;

91 (27) To contract for or conduct economic, planning, marketing or other studies;

92 (28) To repair, restore, or maintain any abandoned cemetery on public or private land
93 within the district; and

94 (29) To partner with a telecommunications company or broadband service provider in
95 order to construct or improve telecommunications facilities which shall be wholly owned and
96 operated by the telecommunications company or broadband service provider, as the terms
97 "telecommunications company" and "telecommunications facilities" are defined in section
98 386.020 and subject to the provisions of section 392.410, that are in an unserved or
99 underserved area, as defined in section 620.2450. Before any facilities are improved or
100 constructed as a result of this section, the area shall be certified as unserved or underserved by
101 the director of broadband development within the department of economic development;

102 (30) To carry out any other powers set forth in sections 67.1401 to 67.1571.

103 2. Each district which is located in a blighted area or which includes a blighted area
104 shall have the following additional powers:

105 (1) Within its blighted area, to contract with any private property owner to demolish
106 and remove, renovate, reconstruct, or rehabilitate any building or structure owned by such
107 private property owner; and

108 (2) To expend its revenues or loan its revenues pursuant to a contract entered into
109 pursuant to this subsection, provided that the governing body of the municipality has
110 determined that the action to be taken pursuant to such contract is reasonably anticipated to
111 remediate the blighting conditions and will serve a public purpose.

112 3. **(1) Each district that is an entertainment district as defined in section 67.1421**
113 **shall have the power to hire and train individuals who are peace officers certified by the**
114 **POST commission, as such terms are defined in section 590.010, to enforce the laws and**
115 **rules of the state, the municipality, the district, and any other political subdivision with**
116 **territory within such entertainment district including, but not limited to, laws and rules**
117 **relating to curfews, unaccompanied minors, public spaces, the operation of motor**
118 **vehicles, and other matters of public safety within such entertainment district.**

119 **(2) No district that is an entertainment district as defined in section 67.1421 shall**
120 **impose any tax under sections 67.1401 to 67.1571 or any other provision of law.**

121 **(3) Subdivision (2) of this subsection shall not be construed to prohibit a political**
122 **subdivision that is not the entertainment district from imposing or administering any**
123 **new or existing tax under state law within the boundaries of the entertainment district.**

124 **4.** Each district shall annually reimburse the municipality for the reasonable and
125 actual expenses incurred by the municipality to establish such district and review annual
126 budgets and reports of such district required to be submitted to the municipality; provided
127 that, such annual reimbursement shall not exceed one and one-half percent of the revenues
128 collected by the district in such year.

129 ~~[4-]~~ **5.** Nothing in sections 67.1401 to 67.1571 shall be construed to delegate to any
130 district any sovereign right of municipalities to promote order, safety, health, morals, and
131 general welfare of the public, except those such police powers, if any, expressly delegated
132 pursuant to sections 67.1401 to 67.1571.

133 ~~[5-]~~ **6.** The governing body of the municipality establishing the district shall not
134 decrease the level of publicly funded services in the district existing prior to the creation of
135 the district or transfer the financial burden of providing the services to the district unless the
136 services at the same time are decreased throughout the municipality, nor shall the governing
137 body discriminate in the provision of the publicly funded services between areas included in
138 such district and areas not so included.

139 ~~[6-]~~ **7.** All construction contracts entered into after August 28, 2021, in excess of five
140 thousand dollars between a district that has adopted a sales tax and any private person, firm,
141 or corporation shall be competitively bid and shall be awarded to the lowest and best bidder.
142 Notice of the letting of the contracts shall be given in the manner provided by section 8.250.

67.1505. 1. As used in this section, the following terms mean:

2 **(1) "Entertainment tourism", activities, services, and experiences designed for**
3 **leisure and enjoyment centered on athletic, recreational, and cultural events,**
4 **attractions, and enrichment, sponsored by any public or private entity, the provision**
5 **and enhancement of public safety and the provision of financial assistance to attract**
6 **sporting events, recreational, entertainment, or other meeting activities, either**
7 **professional or amateur, commercial or private;**

8 **(2) "State department", the office of administration and each department**
9 **created under Article IV, Section 12 of the Constitution of Missouri, excluding the**
10 **statewide elected officials listed in such section.**

11 **2.** The state of Missouri hereby acknowledges the vital role entertainment
12 **tourism plays in fostering the state's economic growth, providing substantial revenue,**
13 **creating jobs, and enhancing the state's cultural and social vitality.**

14 **3. (1) Each state department may, upon such terms and with reasonable**
15 **consideration as such state departments may determine, expend funds for the purpose**
16 **of promoting, developing, and supporting entertainment tourism within any district**
17 **designated as an entertainment district under section 67.1421 and for which application**
18 **is made and approved by the department of economic development no later than August**
19 **28, 2027.**

20 **(2) Any annual expenditure by a state department for entertainment tourism**
21 **shall be limited to a portion of tax revenues derived directly or indirectly from any such**
22 **promotion, development, and support of entertainment tourism supported by such**
23 **annual expenditure within such designated entertainment district, as stated in an**
24 **agreement entered into between the district and the state department, subject to the**
25 **following:**

26 **(a) The term of state appropriations under any such agreement shall not exceed**
27 **twenty-seven years;**

28 **(b) The annual amount of the state appropriations authorized under this section**
29 **shall not exceed two million five hundred thousand dollars per year for any fiscal year**
30 **ending on or before June 30, 2031, and four million five hundred thousand dollars per**
31 **year for any fiscal year thereafter. No such appropriation shall be made prior to July 1,**
32 **2026;**

33 **(c) Any such promotion, development, and support of entertainment tourism**
34 **shall be determined to produce a positive net fiscal impact for the state over the term of**
35 **such agreement, with such public or private assurances as the director of the**
36 **department of economic development may reasonably require; and**

37 **(d) The director of the department of economic development shall make an**
38 **annual written report on behalf of such department to the governor and the general**
39 **assembly within ninety days of the end of each fiscal year detailing whether such**
40 **promotion, development, and support of entertainment tourism produced a positive net**
41 **fiscal impact for the state in the prior fiscal year and projecting the overall net fiscal**
42 **impact to the state over the term of such agreement.**

✓