

REFERENCE TITLE: municipalities; development; reimbursement zones

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2759

Introduced by
Representative Abraham

AN ACT

REPEALING SECTION 9-500.11, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2005, CHAPTER 105, SECTION 2; AMENDING SECTION 9-500.11, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2005, CHAPTER 200, SECTION 1; RELATING TO CITIES AND TOWNS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 9-500.11, Arizona Revised Statutes, as amended by Laws 2005,
4 chapter 105, section 2, is repealed.

5 Sec. 2. Section 9-500.11, Arizona Revised Statutes, as amended by
6 Laws 2005, chapter 200, section 1, is amended to read:

7 9-500.11. Expenditures for economic development; economic
8 reimbursement authority; requirements;
9 definitions

10 A. In addition to any other powers granted to a city or town, the
11 governing body of a city or town may appropriate and spend public monies
12 for and in connection with economic development activities.

13 B. To fund economic development activities under this section, a
14 city or town subject to the requirements of section 9-500.06 shall not
15 impose a new fee or tax on a single specific industry or type of business.

16 C. Notwithstanding section 19-142, subsection B, a decision by the
17 governing body involving an expenditure pursuant to this section shall not
18 be enacted as an emergency measure and that decision is not effective for
19 at least thirty days after final approval of the expenditure.

20 D. Before entering into a retail development tax incentive
21 agreement, a city or town shall make a finding by a simple majority vote
22 of the governing body without ~~the use of~~ USING A consent calendar that
23 includes both of the following:

24 1. That the proposed tax incentive is anticipated to raise more
25 revenue than the amount of the incentive within the duration of the
26 agreement.

27 2. That in the absence of a tax incentive, the retail business
28 facility or similar retail business facility would not locate in the city
29 or town in the same time, place or manner.

30 E. A city or town located in or within twenty-five miles of the
31 exterior boundary of a metropolitan statistical area having a population
32 of more than two million persons shall make a finding pursuant to
33 subsection D of this section, ~~by~~ by a two-thirds vote of the governing body.

34 F. A city or town shall not enter into a retail DEVELOPMENT tax
35 incentive agreement if the proposed tax incentive raises less revenue than
36 the amount of the incentive.

37 G. A city or town shall present a status report of the revenues and
38 expenses associated with the tax incentive every two years for the
39 duration of the agreement in a public meeting.

40 H. The finding made pursuant to subsection D, paragraph 1 of this
41 section shall be verified by an independent third party before the city or
42 town enters into the retail development TAX incentive agreement.

43 I. ~~The adoption of~~ ADOPTING the retail development tax incentive
44 agreement shall be approved by a simple majority vote of the governing
45 body without ~~the use of~~ USING A consent calendar. For a city or town

1 located in or within twenty-five miles of the exterior boundary of a
2 metropolitan statistical area having a population of more than two million
3 persons, ~~the adoption of~~ ADOPTING a retail development tax incentive
4 agreement shall be approved by an affirmative vote of at least two-thirds
5 of the governing body without ~~the use of~~ USING A consent calendar.

6 J. A person or business entity receiving the retail development tax
7 incentive agreement shall not finance the independent ~~third party~~
8 THIRD-PARTY verification of the findings or have input into the selection
9 of the independent third party verifying the findings.

10 K. A city or town shall adopt a notice of intent to enter into a
11 retail development tax incentive agreement at least fourteen days before
12 approving a retail development tax incentive agreement.

13 L. Subsection D of this section does not apply to tax incentives
14 given to a business entity in an area that is designated by a city or town
15 as a redevelopment project as defined in section 36-1471.

16 M. ANY CITY OR TOWN MAY ESTABLISH AN AUTHORITY WITH THE CONSENT OF
17 THE OTHER MEMBER ENTITIES, THROUGH WHICH ECONOMIC DEVELOPMENT ACTIVITIES
18 CAN BE REIMBURSED PURSUANT TO THIS SECTION. THE AUTHORITY MAY SPEND TAX
19 REVENUE ASSESSED ON BEHALF OF THE MEMBER ENTITIES FOR THE PURPOSE OF
20 ECONOMIC DEVELOPMENT IN A MANNER THAT IS CONSISTENT WITH THE REIMBURSEMENT
21 ZONE PLAN. THE GOVERNING BODY OF THE CITY OR TOWN THAT ESTABLISHES THE
22 AUTHORITY SHALL SERVE AS THE AUTHORITY BOARD.

23 N. A CITY OR TOWN, ON BEHALF OF ANY PERSON, MAY SUBMIT A WRITTEN
24 REQUEST TO A MEMBER ENTITY FOR THE FORMATION OF A COMMITTEE. THE WRITTEN
25 REQUEST MUST INCLUDE A COPY OF THE PROPOSED REIMBURSEMENT ZONE PLAN. THE
26 REIMBURSEMENT ZONE PLAN SHALL:

27 1. BE IN WRITING.

28 2. AFTER THE EFFECTIVE DATE OF THE REIMBURSEMENT ZONE PLAN, GUIDE
29 AND CONTROL THE REIMBURSABLE ECONOMIC DEVELOPMENT ACTIVITIES WITHIN THE
30 DEFINED REIMBURSEMENT ZONE FOR A SPECIFIED PERIOD OF TIME, NOT TO EXCEED
31 TWENTY YEARS.

32 3. INCLUDE ALL OF THE FOLLOWING:

33 (a) A STATEMENT EXPLAINING THE PUBLIC PURPOSE NECESSITATING THE
34 FORMATION OF AN AUTHORITY.

35 (b) A DESCRIPTION OF THE BOUNDARIES OF THE REIMBURSEMENT ZONE. THE
36 BOUNDARIES OF THE REIMBURSEMENT ZONE MAY NOT BE THE GREATER OF FIVE SQUARE
37 MILES OR ONE PERCENT OF THE AREA OF THE CITY OR TOWN.

38 (c) A DEVELOPMENT STRATEGY FOR THE REIMBURSEMENT ZONE, INCLUDING A
39 DESCRIPTION OF DESIRED LAND USES AND THE REIMBURSABLE IMPROVEMENTS.

40 (d) THE REIMBURSEMENT ZONE PLAN END DATE. THE REIMBURSEMENT ZONE
41 PLAN END DATE MAY NOT EXTEND BEYOND THE MAXIMUM PLAN PERIOD. THE MAXIMUM
42 PLAN PERIOD MAY NOT BE EXTENDED BY MODIFYING THE REIMBURSEMENT ZONE PLAN.

43 (e) EACH MEMBER ENTITY'S PROPORTIONAL SHARE OF THE ESTIMATED BASE
44 TAX VALUE OF THE REIMBURSEMENT ZONE.

1 (f) EACH MEMBER ENTITY'S PROPORTIONAL SHARE OF THE ESTIMATED BASE
2 TAX VALUE OF THE REIMBURSEMENT ZONE AT THE END OF THE REIMBURSEMENT ZONE
3 PLAN END DATE IF A REIMBURSEMENT ZONE PLAN IS NOT ADOPTED.

4 (g) EACH MEMBER ENTITY'S PROPORTIONAL SHARE OF THE PROJECTED
5 AGGREGATE TAX INCREMENT EXPECTED TO BE GENERATED WITHIN THE REIMBURSEMENT
6 ZONE DURING THE REIMBURSEMENT ZONE PLAN PERIOD.

7 (h) EACH MEMBER ENTITY'S PROPORTIONAL SHARE OF THE PROJECTED
8 AGGREGATE TAX INCREMENT EXPECTED TO BE GENERATED DURING THE REIMBURSEMENT
9 ZONE PLAN PERIOD.

10 (i) THE PERCENTAGE OF EACH MEMBER ENTITY'S TAX INCREMENT TO BE USED
11 TO REIMBURSE COMPLETED REIMBURSABLE IMPROVEMENTS.

12 (j) VERIFICATION BY AN INDEPENDENT THIRD PARTY OF THE FINDINGS
13 REQUIRED BY SUBDIVISIONS (e) AND (f) OF THIS PARAGRAPH.

14 4. TERMINATE ON THE EARLIEST OF THE FOLLOWING:

15 (a) THE END DATE OF THE REIMBURSEMENT ZONE PLAN.

16 (b) THE END DATE OF THE MAXIMUM PLAN PERIOD.

17 (c) THE DATE OF REIMBURSEMENT OF ALL REIMBURSABLE IMPROVEMENTS
18 IDENTIFIED IN THE REIMBURSEMENT ZONE PLAN.

19 (d) THE DATE THE AUTHORITY ADOPTS A RESOLUTION TERMINATING THE
20 REIMBURSEMENT ZONE PLAN IF NO REIMBURSABLE IMPROVEMENTS HAVE BEEN APPROVED
21 OR PREAPPROVED BY THE AUTHORITY.

22 O. THE AUTHORITY SHALL NOTIFY ALL MEMBER ENTITIES OF THE
23 TERMINATION OF THE REIMBURSEMENT ZONE PLAN WITHIN FOURTEEN DAYS AFTER THE
24 REIMBURSEMENT ZONE PLAN TERMINATES.

25 P. A WRITTEN REQUEST TO FORM A COMMITTEE MUST BE HEARD BY THE
26 MEMBER ENTITY WITHIN SIXTY DAYS AFTER RECEIVING THE WRITTEN REQUEST TO
27 FORM THE COMMITTEE. TO APPROVE A REQUEST TO FORM A COMMITTEE AND
28 ESTABLISH THE COMMITTEE, EACH MEMBER ENTITY MUST ADOPT A RESOLUTION THAT:

29 1. AUTHORIZES FORMING AN AUTHORITY UNDER THIS SECTION AND
30 AUTHORIZES REMITTING THE MEMBER ENTITY'S TAX INCREMENT TO THE AUTHORITY ON
31 THE AUTHORITY'S APPROVAL OF THE REIMBURSEMENT ZONE PLAN.

32 2. ADOPTS THE PROPOSED REIMBURSEMENT ZONE.

33 3. ESTABLISHES A REIMBURSEMENT ZONE PLAN END DATE.

34 4. AUTHORIZES FORMING A COMMITTEE.

35 5. APPOINTS ONE MEMBER FROM THE MEMBER ENTITY'S GOVERNING BODY TO
36 SERVE ON THE COMMITTEE.

37 Q. THE COMMITTEE SHALL:

38 1. MEET WITHIN SIXTY DAYS AFTER THE DATE ON WHICH ALL MEMBER
39 ENTITIES HAVE ADOPTED THE RESOLUTION TO ESTABLISH THE COMMITTEE.

40 2. REVIEW THE PROPOSED REIMBURSEMENT ZONE PLAN TO ENSURE CONFORMITY
41 WITH THE REQUIREMENTS OF THIS SECTION, INCLUDING WHETHER ANY OF THE
42 REIMBURSABLE IMPROVEMENTS IDENTIFIED IN THE REIMBURSEMENT ZONE PLAN WILL:

43 (a) ENCOURAGE COMMERCE, INDUSTRY OR MANUFACTURING TO BRING OR KEEP
44 OPERATIONS IN THIS STATE OR THE CITY OR TOWN.

45 (b) INCREASE EMPLOYMENT IN THIS STATE.

1 (c) PRESERVE AND ENHANCE THE TAX BASE OF THIS STATE.
2 3. MODIFY THE PROPOSED REIMBURSEMENT ZONE PLAN, AT THE DISCRETION
3 OF THE COMMITTEE.
4 4. REFER THE REIMBURSEMENT ZONE PLAN, IF UNANIMOUSLY APPROVED, TO
5 THE AUTHORITY.
6 R. THE COMMITTEE MEMBER WHO IS ALSO A MEMBER OF THE AUTHORITY WILL
7 SERVE AS CHAIRPERSON OF THE COMMITTEE.
8 S. THE AUTHORITY SHALL PROVIDE ADMINISTRATIVE SUPPORT TO THE
9 COMMITTEE.
10 T. FOR THE PURPOSES OF TITLE 38, CHAPTER 3, ARTICLE 3.1, THE
11 COMMITTEE IS CONSIDERED A SUBCOMMITTEE OF THE AUTHORITY.
12 U. IF A COMMITTEE REFERS A REIMBURSEMENT ZONE PLAN TO THE
13 AUTHORITY, THE AUTHORITY MAY APPROVE THE REIMBURSEMENT ZONE PLAN ONLY
14 AFTER A PUBLIC HEARING CONDUCTED PURSUANT TO TITLE 38, CHAPTER 3,
15 ARTICLE 3.1. BEFORE THE PUBLIC HEARING, THE AUTHORITY SHALL POST A COPY
16 OF THE REIMBURSEMENT ZONE PLAN ON THE AUTHORITY'S WEBSITE FOR AT LEAST
17 THIRTY DAYS. THE AUTHORITY MUST APPROVE THE REIMBURSEMENT ZONE PLAN BY
18 RESOLUTION AND SHALL INCLUDE A NAME OR OTHER IDENTIFYING DESIGNATION FOR
19 THE REIMBURSEMENT ZONE. THE AUTHORITY MAY APPROVE THE REIMBURSEMENT ZONE
20 PLAN ONLY IF THE AUTHORITY MAKES THE FOLLOWING FINDINGS:
21 1. THE REIMBURSABLE IMPROVEMENTS IDENTIFIED IN THE REIMBURSEMENT
22 ZONE PLAN WOULD NOT REASONABLY BE EXPECTED TO OCCUR SOLELY THROUGH PRIVATE
23 INVESTMENT WITHIN THE REASONABLY FORESEEABLE FUTURE.
24 2. THE REIMBURSEMENT ZONE PLAN WILL INCREASE EMPLOYMENT IN THE CITY
25 OR TOWN OR ENHANCE THE ASSESSED VALUE OF THE REIMBURSEMENT ZONE.
26 3. THE REIMBURSEMENT ZONE PLAN CONFORMS TO THE GENERAL PLAN AND ANY
27 APPLICABLE SPECIFIC PLANS OF THE CITY OR TOWN.
28 V. THE AUTHORITY SHALL FOLLOW THE SAME PROCEDURE PRESCRIBED BY
29 SUBSECTION U OF THIS SECTION TO MODIFY A REIMBURSEMENT ZONE PLAN.
30 W. TAX INCREMENT MONIES RECEIVED PURSUANT TO THIS SECTION MUST BE
31 PLACED IN A SEPARATE FUND AND ACCOUNTED FOR SEPARATELY FOR EACH
32 REIMBURSEMENT ZONE USING GENERALLY ACCEPTED ACCOUNTING PRINCIPLES AND MAY
33 BE USED ONLY FOR THE PURPOSES AUTHORIZED BY THIS SECTION. INTEREST EARNED
34 ON MONIES IN EACH SEPARATE FUND SHALL BE CREDITED TO THAT FUND.
35 X. THE AUTHORITY SHALL SPEND OR REMIT TO THE APPLICABLE MEMBER
36 ENTITY WITHIN THREE YEARS AFTER THE REIMBURSEMENT ZONE PLAN END DATE ANY
37 UNSPENT MONIES REMAINING WHEN THE REIMBURSEMENT ZONE PLAN TERMINATES.
38 Y. TAX INCREMENTS MAY BE USED TO PAY FOR THE ACTUAL ADMINISTRATIVE
39 EXPENSES INCURRED BY THE AUTHORITY IN ADMINISTERING THE REIMBURSEMENT ZONE
40 PLAN AND MAY BE REIMBURSED AT REASONABLE INTERVALS AFTER APPROVAL BY THE
41 AUTHORITY.
42 Z. THIS SECTION DOES NOT ALLOW THE AUTHORITY TO BORROW, BOND OR
43 OTHERWISE INCUR DEBT AND NO PORTION OF ANY TAX INCREMENT MAY BE USED TO
44 PAY DEBT SERVICE.

1 AA. EXCEPT FOR REIMBURSABLE IMPROVEMENTS THAT CONSTITUTE UTILITY
2 INFRASTRUCTURE, A TAX INCREMENT MAY NOT BE USED FOR REIMBURSABLE
3 IMPROVEMENTS GEOGRAPHICALLY LOCATED OUTSIDE OF THE REIMBURSEMENT ZONE.

4 BB. THE AMOUNT OF ANY REIMBURSEMENT MADE PURSUANT TO THIS SECTION
5 MAY NOT EXCEED THE ACTUAL COSTS OF CONSTRUCTION PLUS THE ACTUAL COSTS OF
6 FINANCING THE CONSTRUCTION OF APPROVED REIMBURSABLE IMPROVEMENTS.

7 CC. IMPROVEMENTS ARE ELIGIBLE FOR REIMBURSEMENT IF:

8 1. REIMBURSEMENT WAS PREAPPROVED BY THE AUTHORITY IN A PUBLIC
9 MEETING.

10 2. A BUILDING PERMIT WAS ISSUED AFTER THE REIMBURSEMENT ZONE PLAN
11 WAS APPROVED.

12 3. THE CERTIFICATE OF OCCUPANCY OR ACCEPTANCE FOR THE AUTHORIZED
13 IMPROVEMENT IS ISSUED ON OR BEFORE THE TERMINATION OF THE REIMBURSEMENT
14 ZONE PLAN.

15 4. A REIMBURSEMENT REQUEST IS SUBMITTED TO THE AUTHORITY WITHIN
16 TWELVE MONTHS AFTER THE TERMINATION OF THE REIMBURSEMENT ZONE PLAN.

17 DD. THE AUTHORITY SHALL ESTABLISH PROCEDURES FOR THE PREPARATION,
18 SUBMISSION, REVIEW AND APPROVAL OF REIMBURSEMENT REQUESTS WITHIN THE
19 REIMBURSEMENT ZONE. PROCEDURES ESTABLISHED PURSUANT TO THIS SUBSECTION
20 SHALL INCLUDE PREAPPROVAL AS A CONDITION PRECEDENT TO FINAL REIMBURSEMENT.

21 EE. REIMBURSEMENTS SHALL BE PAID BY THE AUTHORITY IN THE ORDER IN
22 WHICH FINAL REIMBURSEMENTS ARE APPROVED BY THE AUTHORITY, SUBJECT TO FUND
23 AVAILABILITY.

24 FF. THE AUTHORITY SHALL CONTRACT WITH AN INDEPENDENT CERTIFIED
25 PUBLIC ACCOUNTANT TO CONDUCT AN ANNUAL AUDIT OF THE FINANCIAL TRANSACTIONS
26 RELATING TO EACH REIMBURSEMENT ZONE. THE AUDIT MUST DETERMINE WHETHER THE
27 FINANCIAL TRANSACTIONS AND RECORDS ARE CONSISTENT WITH LAW AND GENERALLY
28 ACCEPTED ACCOUNTING PRINCIPLES AND PROCEDURES. THE AUTHORITY SHALL POST A
29 COPY OF EACH AUDIT ON THE AUTHORITY'S WEBSITE AND DISTRIBUTE A COPY OF
30 EACH AUDIT TO EACH MEMBER ENTITY. COSTS OF THE AUDIT MAY BE REIMBURSED TO
31 THE AUTHORITY AS AN ADMINISTRATIVE EXPENSE.

32 GG. WITHIN SIXTY DAYS AFTER THE AUTHORITY APPROVES THE
33 REIMBURSEMENT ZONE PLAN, THE AUTHORITY SHALL NOTIFY THE COUNTY ASSESSOR
34 AND CERTIFY THE FOLLOWING:

35 1. THE BASE TAX VALUE.

36 2. THE ORIGINAL APPLICABLE TAX RATE OF EACH MEMBER ENTITY AS OF THE
37 DATE THE AUTHORITY ADOPTS THE REIMBURSEMENT ZONE PLAN.

38 3. THE PERCENTAGE OF THE TAX INCREMENT APPROVED IN THE
39 REIMBURSEMENT ZONE PLAN.

40 HH. THE COUNTY ASSESSOR SHALL REMIT TO THE AUTHORITY ALL TAX
41 INCREMENTS COLLECTED FOR THE REIMBURSEMENT ZONE AS AUTHORIZED BY THE
42 REIMBURSEMENT ZONE PLAN BEGINNING ON THE EFFECTIVE DATE OF THE
43 REIMBURSEMENT ZONE PLAN AND ENDING TWO YEARS AFTER THE REIMBURSEMENT ZONE
44 PLAN TERMINATES, UNLESS OTHERWISE NOTIFIED BY THE AUTHORITY TO CEASE
45 REMITTANCE.

1 II. DURING THE REIMBURSEMENT ZONE PLAN PERIOD, THE ASSESSED VALUE
2 OF REAL PROPERTY WITHIN THE REIMBURSEMENT ZONE ON THE DATE ON WHICH THE
3 AUTHORITY ADOPTS THE REIMBURSEMENT ZONE PLAN IS THE ASSESSED VALUE OF REAL
4 PROPERTY FOR THE PURPOSES OF TITLE 15, CHAPTER 9.

5 JJ. IF A PARCEL OF LAND LOCATED IN THE REIMBURSEMENT ZONE HAS
6 DELINQUENT PROPERTY TAXES WHEN THE REIMBURSEMENT ZONE TERMINATES, THE
7 PAYMENT OF THE PARCEL'S DELINQUENT TAXES MUST BE REMITTED IN A MANNER THAT
8 IS CONSISTENT WITH SUBSECTION HH OF THIS SECTION.

9 ~~M.~~ KK. For the purposes of this section:

10 1. "AUTHORITY" MEANS AN ECONOMIC DEVELOPMENT REIMBURSEMENT
11 AUTHORITY.

12 2. "BASE TAX VALUE" MEANS, AS TO EACH MEMBER ENTITY, THE ASSESSED
13 VALUE OF THE REAL PROPERTY WITHIN THE REIMBURSEMENT ZONE, AS SHOWN ON THE
14 ASSESSMENT ROLL LAST EQUALIZED BEFORE THE DATE ON WHICH THE AUTHORITY
15 ADOPTS THE REIMBURSEMENT ZONE PLAN, MULTIPLIED BY THE APPLICABLE PRIMARY
16 PROPERTY TAX OF EACH MEMBER ENTITY.

17 3. "COMMITTEE" MEANS THE ECONOMIC DEVELOPMENT REIMBURSEMENT
18 AUTHORITY COMMITTEE.

19 ~~I.~~ 4. "Economic development activities" means any project,
20 assistance, undertaking, program or study, whether within or outside the
21 boundaries of the city or town, including acquisition, improvement,
22 redevelopment, leasing or conveyance of improved or unimproved real or
23 personal property or other activity, that the governing body of the city
24 or town has found and determined will assist in the creation or retention
25 of jobs or will otherwise improve or enhance the economic welfare of the
26 inhabitants of the city or town.

27 ~~E.~~ 5. "Expenditure" includes any waiver, exemption, deduction,
28 credit, rebate, discount, deferral or other abatement or reduction of the
29 normal municipal tax liability that otherwise applies to similar existing
30 business entities and properties in that city or town, however
31 denominated, computed or applied, and that is generally understood as an
32 inducement to locate a business facility or other operation in the city or
33 town.

34 6. "MAXIMUM PLAN PERIOD" MEANS TWENTY YEARS.

35 7. "MEMBER ENTITY" MEANS THE CITY OR TOWN, COUNTY AND SCHOOL
36 DISTRICT IN WHICH ANY PORTION OF THE REIMBURSEMENT ZONE IS GEOGRAPHICALLY
37 LOCATED. ANY OTHER POLITICAL SUBDIVISION OF THIS STATE IN WHICH THE
38 REIMBURSEMENT ZONE IS GEOGRAPHICALLY LOCATED, EXCLUDING A SPECIAL PLANNING
39 DISTRICT FORMED UNDER TITLE 48, MAY BE A MEMBER ENTITY AT THE REQUEST OF
40 THE CITY OR TOWN CREATING THE AUTHORITY.

41 ~~S.~~ 8. "Metropolitan statistical area" means a geographical area
42 consisting of cities, towns and other populated areas defined for federal
43 statistical and census purposes by the United States office of management
44 and budget with technical assistance from the United States bureau of the
45 census.

1 9. "REIMBURSABLE IMPROVEMENT":
2 (a) MEANS:
3 (i) INFRASTRUCTURE, FACILITIES OR OTHER CAPITAL IMPROVEMENTS
4 RELATED TO ECONOMIC DEVELOPMENT ACTIVITIES.
5 (ii) UTILITY INFRASTRUCTURE, WHETHER INSIDE OR OUTSIDE OF THE
6 REIMBURSEMENT ZONE, IF CONNECTION OF THE UTILITY TO THE PROPERTY WITHIN
7 THE REIMBURSEMENT ZONE HAS A SUBSTANTIAL NEXUS BETWEEN THE PROVISION OF
8 THE UTILITY AND ANOTHER REIMBURSABLE IMPROVEMENT.
9 (b) DOES NOT INCLUDE RESIDENTIAL PROJECTS.
10 10. "REIMBURSEMENT ZONE PLAN" MEANS THE DEVELOPMENT PLAN FOR THE
11 REIMBURSEMENT ZONE AS DESCRIBED IN SUBSECTION N, PARAGRAPH 3, SUBDIVISION
12 (b) OF THIS SECTION.
13 ~~4.~~ 11. "Retail" means the sale of tangible personal property,
14 except the sale of tangible personal property to a person who is engaged
15 in the business of selling such property.
16 ~~5.~~ 12. "Retail development activities" means those economic
17 development activities that involve the acquisition, improvement, leasing
18 or conveyance of improved or unimproved real or personal property or other
19 activity to facilitate the sale of goods at retail, including the sale of
20 automobiles, or to facilitate other activities, including theater and
21 restaurant development, that generate revenues that are subject to
22 municipal transaction privilege taxation.
23 ~~6.~~ 13. "Retail development tax incentive agreement" means an
24 agreement between a city or town and a person engaged in or planning to
25 engage in retail development activities within that city or town in which
26 the city or town agrees to pay, refund, credit, rebate or otherwise
27 provide to that person all or a portion of the sales, use or transaction
28 privilege taxes payable to that city or town in connection with the
29 construction, development or operation of the retail development
30 activities.
31 14. "TAX INCREMENT" MEANS THE DIFFERENCE BETWEEN THE BASE TAX VALUE
32 AND THE AMOUNT OF PRIMARY PROPERTY TAX REVENUES GENERATED EACH TAX YEAR BY
33 EACH MEMBER ENTITY FOR PROPERTY LOCATED WITHIN THE REIMBURSEMENT ZONE,
34 CONSISTENT WITH THE REIMBURSEMENT ZONE PLAN.