

BUILD MISSOURI

A Program Jointly Administered By The:



PROGRAM SUMMARY

(Rev. June 2009)

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Introduction

The BUILD Missouri Program is an incentive tool that allows the Missouri Department of Economic Development (the “Department”) and the Missouri Development Finance Board (the “Board”) to finance a portion of the costs of qualifying capital investments in economic development projects for eligible businesses which seek to locate or expand in Missouri. The incentives offered by the BUILD Missouri Program (the “Program”) are designed to offset infrastructure and other capital costs of certain large projects by making the cost of investing in Missouri more competitive with other states. The Program is governed by Sections 100.700 to 100.850, RSMo.

Method of Financing

The costs of projects are financed in whole or in part from proceeds of bonds issued by the Board and loaned to the eligible company. The company will make loan payments in amounts sufficient to pay the principal and interest on the bonds. The company’s loan payments and other annual fees constitute job development assessment fees. A company which pays job development assessment fees is allowed to claim State income tax credits equal to the amount of such assessment fees. The company may claim such tax credits against State income taxes otherwise due, and may obtain a refund to the extent the amount of a tax credit exceeds the company’s Missouri state income tax liability for a given year.

Determination of Program Eligibility and Amount

Eligibility. In determining whether financing assistance may be provided under the Program, the Department and the Board must determine that the following factors will be met:

1. The creation of new jobs (see the minimum job creation requirements described below);
2. The applicant’s project is economically sound and will benefit the people of Missouri by increasing opportunities for employment and strengthening the economy of Missouri;
3. The political subdivisions affected by the project have committed significant local incentives with respect to the project;
4. Receiving the credit is a major factor in the applicant’s decision to go forward with the project and not receiving the credit will result in the applicant not creating new jobs in Missouri; and
5. Awarding the credit will result in an overall positive fiscal impact to the State.

Amount of Financing. In determining the amount of financing for which an eligible applicant may be approved, the Department and Board will take into consideration the following factors:

1. The economy of the county where the projected investment is to occur;
2. The potential impact on the economy of Missouri;
3. The payroll attributable to the project;
4. The capital investment attributable to the project;
5. The amount the average wage paid by the applicant exceeds the average wage paid within the county in which the project will be located;
6. The costs to Missouri and the affected political subdivisions with respect to the project; and
7. The financial assistance that is otherwise provided by Missouri and the affected political subdivisions.

Other Limitations. In addition to the foregoing factors, the maximum amount which may be financed is limited by establishing a projected annual ceiling upon the maximum amount of credits that the Board expects to be able to issue to reimburse the eligible business in any one year. The annual maximum amount which may be reimbursed is limited to the amount the Department and the Board determine are commensurate with the overall net state economic benefit. The BUILD Act imposes a limit on the annual amount which can be reimbursed of not to exceed 5% of the gross wages of each employee employed in a new job, or up to 10% if the economic development project is located within a distressed community as defined in Section 135.530, RSMo.

General Company Eligibility

All businesses that manufacture, process (including agricultural processing) or assemble products are eligible. Businesses that conduct research and development or provide services in interstate commerce also are eligible. Certain office industries also are eligible. An “office industry” is defined in the BUILD Act as a regional, national or international headquarters, a telecommunications operation, a computer operation, an insurance company, or a credit card billing and processing center. Businesses primarily engaged in retail sales or providing health and professional services are not eligible. Intra-state relocations or replacements of existing facilities also are generally not eligible, except when the businesses meet certain additional job creation and investment requirements provided by statute.

The business also must meet the following additional criteria:

1. The business must create at least 100 new jobs within a three-year period or a minimum of 500 new jobs if the economic development project is an office industry, or a minimum of 200 new jobs if the economic development project is an office industry located within a distressed community as defined in Section 135.530, RSMo.
2. The business must invest a minimum of \$15 million within a three-year period in qualified costs (\$10 million if the business is considered to be an office industry).

All determinations regarding company eligibility will be made by the Board, with the approval of the Department.

The Board encourages the involvement of minority and women-owned businesses in all of its programs and purchases.

What is a New Job?

A new job means a full-time position (minimum 35 hours) in a new or expanding eligible business, not including jobs of recalled workers or replacement jobs (jobs that formerly existed in the eligible business in the State). A qualified employee may not have been employed by the business or a taxpayer related to the business during the prior 12 months.

Qualifying Capital Investments

The Board may finance the acquisition and installation of any real and personal property with the proceeds of the certificates, including surveys; site tests and inspections; subsurface site work; excavation; removal of structures, roadways, cemeteries and other surface obstructions; filling, grading and provision of drainage, storm water retention, installation of utilities such as water, sewer, sewage treatment, gas, electricity, communications and similar facilities; off-site construction of utility extensions to the boundaries of the real property; and the acquisition, installation, or equipping of facilities on the real property, for use and occupancy by the eligible business or its affiliates.

Additional Information

The BUILD Missouri Program is a cooperative effort of the Department of Economic Development and the Missouri Development Finance Board. The Board is a separate body corporate and politic established by the State to assist the Department in its mission of fostering economic development in the State.

For additional information concerning the BUILD Missouri Program contact:

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