

Summary**Board Bill Number 55****Introduced by Alderwoman Alisha Sonnier****June 26, 2026**

An ordinance that amends Chapter 3.160 of the City of St. Louis Revised Code of Ordinances to add definitions and a section prohibiting the award of tax incentives to data centers; containing a severability clause; and containing an emergency clause.

**BOARD BILL NUMBER 55 INTRODUCED BY ALDERWOMAN ALISHA SONNIER
CO-SPONSORS: PRESIDENT MEGAN E. GREEN/ALDERWOMAN SHAMEEM
CLARK-HUBBARD**

An ordinance amending Chapter 3.160 of the City of St. Louis Revised Code of Ordinances to add definitions and a section prohibiting the award of tax incentives to data centers; containing a severability clause; and containing an emergency clause.

WHEREAS, the growth of data centers throughout the region has sparked robust public discussion regarding their impacts on surrounding communities; and

WHEREAS, data centers typically generate relatively few permanent jobs while consuming substantial amounts of electricity and water, placing additional demands on local infrastructure and utility systems; and

WHEREAS, the City should use tax incentives strategically to support development that would not otherwise occur and that delivers meaningful economic and community benefits to City residents;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. *Definitions.*

The following definitions shall be inserted into, or shall amend, Chapter 3.160.010 of the Revised Code of the City of St. Louis:

1. ***Data Center*** means a facility, or a discrete portion of a facility, used for the storage, management, processing, and transmission of digital data and that houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage, processing, and related operations. Data Center uses include data storage facilities, server farms, artificial intelligence training or processing, image

processing, cloud computing, email servicing, and similar uses. A Data Center may be a primary or a secondary use of a facility.

2. **Data Center, Major:** Major Data Center means a Data Center with gross floor area of two hundred fifty thousand (250,000) square feet or more, or a Maximum Power Demand of thirty (30) megawatts or more.

3. **Data Center, Standard:** Standard Data Center means a Data Center with gross floor area of ten thousand (10,000) square feet or more but less than two hundred fifty thousand (250,000) square feet, and a Maximum Power Demand greater than five (5) megawatts but less than thirty (30) megawatts.

4. **Data Center, Micro:** Micro Data Center means a Data Center with gross floor area of less than ten thousand (10,000) square feet and a Maximum Power Demand of five (5) megawatts or less.

5. **Tax Incentives:** The term “Tax Incentives,” as currently defined under Chapter 3.160.010(ab), shall be repealed and replaced with the following: Tax Incentives means any tax incentive, tax abatement, tax exemption, tax credit, payment in lieu of taxes, or financing benefit administered, approved, authorized, or granted by the City or any Decision-Making Body, including without limitation: (a) tax increment financing under the Real Property Tax Increment Allocation Redevelopment Act, §§ 99.800–99.865 RSMo; (b) real property tax abatement under the Urban Redevelopment Corporations Law (Chapter 353), §§ 353.010–353.190 RSMo; (c) tax abatement granted through the Land Clearance for Redevelopment Authority, §§ 99.300–99.660 RSMo; (d) tax abatement granted through the Planned Industrial Expansion Authority, §§ 100.300–100.620 RSMo;

(e) real or personal property tax abatement associated with the issuance of industrial development bonds under §§ 100.010–100.200 RSMo (Chapter 100); (f) local tax benefits under the Enhanced Enterprise Zone program, §§ 135.950–135.973 RSMo; and (g) any successor, substitute, or comparable tax incentive hereafter authorized by Missouri law and administered by the City or a Decision-Making Body.

SECTION TWO. *Prohibition of Tax Incentives for Data Centers.*

The following shall be inserted into Chapter 3.160 as a new Section 3.160.040, titled “Prohibition of Tax Incentives for Data Centers”:

1. **Prohibition.** Notwithstanding any other provision of the Revised Code of the City of St. Louis, no Tax Incentive shall be approved, authorized, granted, recommended, or extended for any project that consists of, or includes as a principal component, the development, construction, expansion, or operation of a Data Center. No application for a Tax Incentive for such a project shall be accepted, processed, or approved by the City, the Board of Aldermen, or any Decision-Making Body. This prohibition applies regardless of the number of permanent jobs the Data Center creates, and regardless of whether the Data Center is a lawful, existing, or nonconforming use under the Zoning Code of the City.

2. **Scope; Mixed-Use Projects.** This prohibition applies to any project in which a Data Center is a principal use. Where a Data Center is a component of a larger mixed-use project, no Tax Incentive shall be applied to the portion of the project attributable to the Data Center, and the applicant shall bear the burden of demonstrating, to the satisfaction of the St. Louis Development Corporation (SLDC), that no prohibited benefit accrues to the Data Center component.

1 **3. No Recommendation or Cooperation.** No officer, employee, department, or
2 Decision-Making Body shall propose, sponsor, negotiate, or execute any redevelopment
3 agreement, financing agreement, or chapter plan that would confer a Tax Incentive
4 prohibited by this Section.

5 **4. Effect of Violation.** Any Tax Incentive approved, authorized, granted,
6 recommended, or extended in violation of this Section is void and unenforceable, and
7 confers no right, benefit, or vested interest on any applicant, recipient, or successor. No
8 officer, employee, department, or Decision-Making Body shall disburse funds, execute or
9 perform any agreement, or issue any abatement, credit, exemption, or payment pursuant to
10 a Tax Incentive prohibited by this Section, and any agreement purporting to do so shall be
11 unenforceable against the City. The City may pursue any remedy available at law or in
12 equity, including recovery of the value of any benefit conferred in violation of this Section.

13 **5. Prospective Application.** This Section applies to applications submitted, and
14 approvals granted, on or after its effective date, and shall not impair any Tax Incentive
15 lawfully approved, or any vested contractual right under an agreement executed, before
16 that date.

17 **6. Limitation; State Incentives Unaffected.** This Section applies only to Tax
18 Incentives administered, approved, or granted by the City or a Decision-Making Body.
19 Nothing in this Section is intended to, or shall be construed to, repeal, limit, or affect any
20 tax credit, exemption, or incentive granted or administered by the State of Missouri,
21 including the state sales and use tax exemptions for data center projects under § 144.810
22 RSMo, except to the extent the City is separately authorized to limit the local portion
23 thereof.

1 **SECTION THREE. *Severability.***

2 The provisions of this chapter shall be severable. If any provision of this chapter is found by a
3 court of competent jurisdiction to be invalid, preempted, or unconstitutional, the remaining
4 provisions of this chapter are valid unless the court finds that the valid provisions of this chapter
5 are so essentially and inseparably connected with, and so dependent upon, the void or preempted
6 provision that it cannot be presumed that the Board of Aldermen would have enacted the valid
7 provisions without the void or preempted ones, or unless the court finds that the valid provisions,
8 standing alone, are incomplete and incapable of being executed in accordance with the legislative
9 intent.

10 **SECTION FOUR. *Emergency Clause.***

11 This being an ordinance for the preservation of the public peace, health, and safety, it is hereby
12 declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of
13 the Charter, and therefore this Ordinance shall become effective immediately upon its passage and
14 approval by the Mayor of the City.