

FIRST REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 18

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

1046S.01I

KRISTINA MARTIN, Secretary

## JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 26 of article X of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the taxation of real property.

*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2024, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to article X of the Constitution of the state of Missouri:

Section A. Section 26, article X, Constitution of Missouri, is repealed and two new sections adopted in lieu thereof, to be known as sections 4(e) and 26, to read as follows:

**Section 4(e). 1. Notwithstanding any provision of this article to the contrary, for all years beginning on or after January 1, 2024, no county or political subdivision shall be authorized to levy or collect a tax on property in class 1.**

**2. In lieu of an ad valorem tax on property in class 1, beginning January 1, 2024, a county shall impose a sales tax on the sale of property in class 1 at a rate equal to the total combined rate of sales taxes in effect at the**

10 location of the property, including the state sales tax  
11 rate, provided that all revenue generated by such tax shall  
12 be collected and distributed by the county in the same  
13 manner as the ad valorem property tax levied prior to  
14 January 1, 2024. A taxpayer shall select one of the  
15 following methods to remit the tax imposed by this  
16 subsection:

17 (1) The taxpayer shall remit all tax due to the county  
18 collector upon the transfer of title of the property;

19 (2) The taxpayer shall remit ten percent of the sales  
20 tax due to the county collector upon the transfer of title  
21 of the property. The remaining amount of sales tax due  
22 shall be remitted to the county collector five years after  
23 the date of the transfer of title of the property and which  
24 shall be paid in equal annual installments;

25 (3) The taxpayer shall remit ten percent of the sales  
26 tax due to the county collector upon the transfer of title  
27 of the property. The remaining amount of sales tax due  
28 shall be remitted to the county collector ten years after  
29 the date of the transfer of title of the property and which  
30 shall be paid in equal annual installments; or

31 (4) The taxpayer shall remit ten percent of the sales  
32 tax due to the county collector upon the transfer of title  
33 of the property. The remaining amount of sales tax due  
34 shall be remitted to the county collector fifteen years  
35 after the date of the transfer of title of the property and  
36 which shall be paid in equal annual installments.

37 Financial institutions that are mortgage servicers shall pay  
38 sales tax obligations which they service from escrow  
39 accounts in one payment by the required due date.

40           3. In lieu of an ad valorem tax on property in class  
41 1, beginning January 1, 2024, a county shall impose a tax on  
42 property in class 1 that was purchased prior to January 1,  
43 2024, by the taxpayer owning such property as of January 1,  
44 2024, in an amount equal to the total combined rate of sales  
45 taxes in effect at the location of the property, including  
46 the state sales tax rate, multiplied by the remaining  
47 mortgage balance on such property as of January 1, 2024,  
48 provided that all revenue generated by such tax shall be  
49 collected and distributed by the county in the same manner  
50 as the ad valorem property tax levied prior to January 1,  
51 2024. A taxpayer shall select one of the following methods  
52 to remit the tax imposed by this subsection:

53           (1) The taxpayer shall remit all tax due to the county  
54 collector no later than December 31, 2024;

55           (2) The taxpayer shall remit all tax due to the county  
56 collector no later than December 31, 2029, which shall be  
57 paid in equal annual installments;

58           (3) The taxpayer shall remit all tax due to the county  
59 collector no later than December 31, 2034, which shall be  
60 paid in equal annual installments; or

61           (4) The taxpayer shall remit all tax due to the county  
62 collector no later than December 31, 2039, which shall be  
63 paid in equal annual installments;

64 Financial institutions that are mortgage servicers shall pay  
65 such tax obligations which they service from escrow accounts  
66 in one payment by the required due date.

          Section 26. In order to prohibit an increase in the  
2 tax burden on the citizens of Missouri, state and local  
3 sales and use taxes (or any similar transaction-based tax)  
4 shall not be expanded to impose taxes on any service or

5 transaction that was not subject to sales, use or similar  
6 transaction-based tax on January 1, 2015, **except for**  
7 **purchases of real property taxed pursuant to section 4(e) of**  
8 **this article.**

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