

SENATE SUBSTITUTE
FOR
SENATE COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 87
AN ACT

To amend chapter 137, RSMo, by adding thereto one new section relating to real property assessments.

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

Section A. Chapter 137, RSMo, is amended by adding thereto
2 one new section, to be known as section 137.1100, to read as
3 follows:

137.1100. 1. For the purposes of this section, the
2 following terms shall mean:

3 (1) "Eligible credit amount", the difference between
4 an eligible taxpayer's real property tax liability on such
5 taxpayer's homestead for a given tax year, minus the real
6 property tax liability on such homestead in the eligible
7 taxpayer's initial credit year, provided that the real
8 property tax liability on an eligible taxpayer's homestead
9 as determined in the taxpayer's initial credit year may be
10 increased by no more than five percent during a reassessment
11 year;

12 (2) "Eligible taxpayer", a Missouri resident who:

13 (a) Is an owner of record of a homestead or has a
14 legal or equitable interest in such property as evidenced by
15 a written instrument; and

16 (b) Is liable for the payment of real property taxes
17 on such homestead;

18 (3) "Homestead", real property actually occupied by an
19 eligible taxpayer as the primary residence. An eligible
20 taxpayer shall not claim more than one primary residence;

21 (4) "Initial credit year":

22 (a) In the case of a taxpayer that meets all
23 requirements of subdivision (2) of this subsection prior to
24 the year in which a credit is authorized pursuant to
25 subsection 2 of this section, the year in which such credit
26 is authorized;

27 (b) For all other taxpayers, the year in which the
28 taxpayer meets all requirements of subdivision (2) of this
29 subsection.

30 If in any tax year subsequent to the eligible taxpayer's
31 initial credit year the eligible taxpayer's real property
32 tax liability is lower than such liability in the initial
33 credit year, such tax year shall be considered the eligible
34 taxpayer's initial credit year for all subsequent tax years.

35 2. (1) Any county authorized to impose a property tax
36 may grant a property tax credit to eligible taxpayers
37 residing in such county in an amount equal to the taxpayer's
38 eligible credit amount, provided that:

39 (a) Such county adopts an ordinance authorizing such
40 credit; or

41 (b) a. A petition in support of a referendum on such
42 a credit is signed by at least five percent of the
43 registered voters of such county voting in the last
44 gubernatorial election and the petition is delivered to the
45 governing body of the county, which shall subsequently hold
46 a referendum on such credit.

47 b. The ballot of submission for the question submitted
48 to the voters pursuant to this paragraph shall be in
49 substantially the following form:

50 Shall the County of _____ exempt taxpayers from
51 increases in the property tax liability due on
52 such taxpayers' primary residence?

53

YES

NO

54 If a majority of the votes cast on the proposal by the
55 qualified voters voting thereon are in favor of the
56 proposal, then the credit shall be in effect.

57 (2) An ordinance adopted pursuant to paragraph (a) of
58 subdivision (1) of this subsection shall not preclude such
59 ordinance from being amended or superseded by a petition
60 subsequently adopted pursuant to paragraph (b) of
61 subdivision (1) of this subsection.

62 3. (1) A county granting credit pursuant to this
63 section shall apply such credit when calculating the
64 eligible taxpayer's property tax liability for the tax
65 year. The amount of the credit shall be noted on the
66 statement of tax due sent to the eligible taxpayer by the
67 county collector. The county governing body may adopt
68 reasonable procedures in order to carry out the purposes and
69 intent of this section, provided that the county shall not
70 adopt any procedure that limits the definition or scope of
71 eligible credit amount or eligible taxpayer as defined in
72 this section.

73 (2) If an eligible taxpayer makes new construction and
74 improvements to such eligible taxpayer's homestead, the real
75 property tax liability for the taxpayer's initial credit
76 year shall be increased to reflect the real property tax
77 liability attributable to such new construction and
78 improvements.

79 (3) If an eligible taxpayer's homestead is annexed
80 into a taxing jurisdiction to which such eligible taxpayer
81 did not owe real property tax in the eligible taxpayer's
82 initial credit year, then the real property tax liability
83 for the taxpayer's initial credit year shall be increased to

84 reflect the real property tax liability owed to the annexing
85 taxing jurisdiction.

86 4. For the purposes of calculating property tax levies
87 pursuant to section 137.073, the total amount of credits
88 authorized by a county pursuant to this section shall be
89 considered tax revenue, as such term is defined in section
90 137.073, actually received.

91 5. A county granting a tax credit pursuant to this
92 section shall notify each political subdivision within such
93 county of the total credit amount applicable to such
94 political subdivision by no later than November thirtieth of
95 each year.