

SENATE BILL NO. 780

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BLACK.

3092S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 137.1050, RSMo, and to enact in lieu thereof one new section relating to a property tax credit for certain seniors.

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

Section A. Section 137.1050, RSMo, is repealed and one
2 new section enacted in lieu thereof, to be known as section
3 137.1050, to read as follows:

137.1050. 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;
- 8 (2) "Eligible taxpayer", a Missouri resident who:
9 (a) Is sixty-two years of age or older;
10 (b) Is an owner of record of a homestead or has a
11 legal or equitable interest in such property as evidenced by
12 a written instrument; and
13 (c) Is liable for the payment of real property taxes
14 on such homestead;
- 15 (3) "Homestead", real property actually occupied by an
16 eligible taxpayer as the primary residence. An eligible
17 taxpayer shall not claim more than one primary residence;
- 18 (4) "Initial credit year":

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

24 (b) For all other taxpayers, the year in which the
25 taxpayer meets all requirements of subdivision (2) of this
26 subsection **and applies for the credit.**

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

32 2. (1) Any county authorized to impose a property tax
33 may grant a property tax credit to eligible taxpayers
34 residing in such county in an amount equal to the taxpayer's
35 eligible credit amount, provided that:

36 (a) Such county adopts an ordinance authorizing such
37 credit; or

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

44 b. The ballot of submission for the question submitted
45 to the voters pursuant to paragraph (b) of this subdivision
46 shall be in substantially the following form:

47 Shall the County of _____ exempt senior citizens
48 aged 62 and older from increases in the property

49 tax liability due on such senior citizens' primary
50 residence?

51 YES NO

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

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

60 3. (1) A county granting credit pursuant to this
61 section shall apply such credit when calculating the
62 eligible taxpayer's property tax liability for the tax
63 year. The amount of the credit shall be noted on the
64 statement of tax due sent to the eligible taxpayer by the
65 county collector. The county governing body may adopt
66 reasonable procedures in order to carry out the purposes and
67 intent of this section, provided that the county shall not
68 adopt any procedure that limits the definition or scope of
69 eligible credit amount or eligible taxpayer as defined in
70 this section.

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

77 (3) If an eligible taxpayer's homestead is annexed
78 into a taxing jurisdiction to which such eligible taxpayer

79 did not owe real property tax in the eligible taxpayer's
80 initial credit year, then the real property tax liability
81 for the taxpayer's initial credit year shall be increased to
82 reflect the real property tax liability owed to the annexing
83 taxing jurisdiction.

84 **(4) Nothing in this section shall be construed to**
85 **relieve a taxpayer of the obligation to pay the tax**
86 **liability levied for:**

87 **(a) The state blind pension fund; or**

88 **(b) Any tax levied for the payment of voter-approved**
89 **bond indebtedness.**

90 4. For the purposes of calculating property tax levies
91 pursuant to section 137.073, the total amount of credits
92 authorized by a county pursuant to this section shall be
93 considered tax revenue, as such term is defined in section
94 137.073, actually received.

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

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