

SECOND REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 860

95TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR BRAY.

Read 1st time January 28, 2010, and ordered printed.

Read 2nd time February 4, 2010, and referred to the Committee on Ways and Means.

Reported from the Committee March 4, 2010, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up March 22, 2010. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

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## AN ACT

To repeal section 67.110, RSMo, and to enact in lieu thereof one new section relating to ad valorem property tax rates.

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

Section A. Section 67.110, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 67.110, to read as follows:

67.110. 1. Each political subdivision in the state, except counties and any  
2 political subdivision located at least partially within any county with a charter  
3 form of government or any political subdivision located at least partially within  
4 any city not within a county, shall fix its ad valorem property tax rates as  
5 provided in this section not later than September first for entry in the tax  
6 books. Each political subdivision located, at least partially, within a county with  
7 a charter form of government or within a city not within a county shall fix its ad  
8 valorem property tax rates as provided in this section not later than October first  
9 for entry in the tax books for each calendar year after December 31, 2008. Before  
10 the governing body of each political subdivision of the state, except counties, as  
11 defined in section 70.120, RSMo, fixes its rate of taxation, its budget officer shall  
12 present to its governing body the following information for each tax rate to be  
13 levied: the assessed valuation by category of real, personal and other tangible  
14 property in the political subdivision as entered in the tax book for the fiscal year

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

15 for which the tax is to be levied, as provided by subsection 3 of section 137.245,  
16 RSMo, the assessed valuation by category of real, personal and other tangible  
17 property in the political subdivisions for the preceding taxable year, the amount  
18 of revenue required to be provided from the property tax as set forth in the  
19 annual budget adopted as provided by this chapter, and the tax rate proposed to  
20 be set. Should any political subdivision whose taxes are collected by the county  
21 collector of revenue fail to fix its ad valorem property tax rate by [September  
22 first] **the date provided under this section for such political subdivision,**  
23 then no tax rate other than the rate, if any, necessary to pay the interest and  
24 principal on any outstanding bonds shall be certified for that year.

25         2. The governing body shall hold at least one public hearing on the  
26 proposed rates of taxes at which citizens shall be heard prior to their  
27 approval. The governing body shall determine the time and place for such  
28 hearing. A notice stating the hour, date and place of the hearing shall be  
29 published in at least one newspaper qualified under the laws of the state of  
30 Missouri of general circulation in the county within which all or the largest  
31 portion of the political subdivision is situated, or such notice shall be posted in  
32 at least three public places within the political subdivision; except that, in any  
33 county of the first class having a charter form of government, such notice may be  
34 published in a newspaper of general circulation within the political subdivision  
35 even though such newspaper is not qualified under the laws of Missouri for other  
36 legal notices. Such notice shall be published or posted at least seven days prior  
37 to the date of the hearing. The notice shall include the assessed valuation by  
38 category of real, personal and other tangible property in the political subdivision  
39 for the fiscal year for which the tax is to be levied as provided by subsection 3 of  
40 section 137.245, RSMo, the assessed valuation by category of real, personal and  
41 other tangible property in the political subdivision for the preceding taxable year,  
42 for each rate to be levied the amount of revenue required to be provided from the  
43 property tax as set forth in the annual budget adopted as provided by this  
44 chapter, and the tax rates proposed to be set for the various purposes of  
45 taxation. The tax rates shall be calculated to produce substantially the same  
46 revenues as required in the annual budget adopted as provided in this  
47 chapter. Following the hearing the governing body of each political subdivision  
48 shall fix the rates of taxes, the same to be entered in the tax book. Failure of any  
49 taxpayer to appear at such hearing shall not prevent the taxpayer from pursuit  
50 of any other legal remedy otherwise available to the taxpayer. Nothing in this

51 section absolves political subdivisions of responsibilities under section 137.073,  
52 RSMo, nor to adjust tax rates in event changes in assessed valuation occur that  
53 would alter the tax rate calculations.

54         3. Each political subdivision of the state shall fix its property tax rates in  
55 the manner provided in this section for each fiscal year which begins after  
56 December 31, 1976. New or increased tax rates for political subdivisions whose  
57 taxes are collected by the county collector approved by voters after September  
58 first of any year shall not be included in that year's tax levy except for any new  
59 tax rate ceiling approved pursuant to section 71.800, RSMo.

60         4. In addition to the information required under subsections 1 and 2 of  
61 this section, each political subdivision shall also include the increase in tax  
62 revenue due to an increase in assessed value as a result of new construction and  
63 improvement and the increase, both in dollar value and percentage, in tax  
64 revenue as a result of reassessment if the proposed tax rate is adopted.

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Bill

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