

FIRST REGULAR SESSION

# SENATE BILL NO. 357

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Read 1st time February 28, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1779S.011

## AN ACT

To repeal sections 137.010 and 137.080, RSMo, and section 137.115 as enacted by senate committee substitute for senate bill no. 630, ninety-fifth general assembly, second regular session, and section 137.115 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 2058 merged with conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 711 merged with conference committee substitute for house committee substitute no. 2 for senate substitute for senate committee substitute for senate bill no. 718, ninety-fourth general assembly, second regular session, and to enact in lieu thereof three new sections relating to the assessment of hydroelectric power generating property for tax purposes.

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

Section A. Sections 137.010 and 137.080, RSMo, and section 137.115 as  
2 enacted by senate committee substitute for senate bill no. 630, ninety-fifth  
3 general assembly, second regular session, and section 137.115 as enacted by  
4 senate substitute for senate committee substitute for house committee substitute  
5 for house bill no. 2058 merged with conference committee substitute for house  
6 committee substitute for senate substitute for senate committee substitute for  
7 senate bill no. 711 merged with conference committee substitute for house  
8 committee substitute no. 2 for senate substitute for senate committee substitute  
9 for senate bill no. 718, ninety-fourth general assembly, second regular session, are  
10 repealed and three new sections enacted in lieu thereof, to be known as sections  
11 137.010, 137.080, and 137.115, to read as follows:

137.010. The following words, terms and phrases when used in laws

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

2 governing taxation and revenue in the state of Missouri shall have the meanings  
3 ascribed to them in this section, except when the context clearly indicates a  
4 different meaning:

5 (1) "Grain and other agricultural crops in an unmanufactured condition"  
6 shall mean grains and feeds including, but not limited to, soybeans, cow peas,  
7 wheat, corn, oats, barley, kafir, rye, flax, grain sorghums, cotton, and such other  
8 products as are usually stored in grain and other elevators and on farms; but  
9 excluding such grains and other agricultural crops after being processed into  
10 products of such processing, when packaged or sacked. The term "processing"  
11 shall not include hulling, cleaning, drying, grating, or polishing;

12 (2) **"Hydroelectric power generating equipment", very-low-head**  
13 **turbine generators with a nameplate generating capacity of at least**  
14 **four hundred kilowatts but not more than six hundred kilowatts and**  
15 **related machinery and equipment used in the production, generation,**  
16 **conversion, or storage of hydroelectric power;**

17 (3) "Intangible personal property", for the purpose of taxation, shall  
18 include all property other than real property and tangible personal property, as  
19 defined by this section;

20 [(3)] (4) "Real property" includes land itself, whether laid out in town  
21 lots or otherwise, and all growing crops, buildings, structures, improvements and  
22 fixtures of whatever kind thereon, the installed poles used in the transmission or  
23 reception of electrical energy, audio signals, video signals or similar purposes,  
24 provided the owner of such installed poles is also an owner of a fee simple  
25 interest, possessor of an easement, holder of a license or franchise, or is the  
26 beneficiary of a right-of-way dedicated for public utility purposes for the  
27 underlying land; attached wires, transformers, amplifiers, substations, and other  
28 such devices and appurtenances used in the transmission or reception of electrical  
29 energy, audio signals, video signals or similar purposes when owned by the owner  
30 of the installed poles, otherwise such items are considered personal property; and  
31 stationary property used for transportation of liquid and gaseous products,  
32 including, but not limited to, petroleum products, natural gas, water, and sewage;

33 [(4)] (5) "Tangible personal property" includes every tangible thing being  
34 the subject of ownership or part ownership whether animate or inanimate, other  
35 than money, and not forming part or parcel of real property as herein defined,  
36 **and hydroelectric power generating equipment**, but does not include  
37 household goods, furniture, wearing apparel and articles of personal use and

38 adornment, as defined by the state tax commission, owned and used by a person  
39 in his home or dwelling place.

137.080. Real estate and tangible personal property shall be assessed  
2 annually at the assessment which commences on the first day of January. For  
3 purposes of assessing and taxing tangible personal property, all tangible personal  
4 property shall be divided into the following subclasses:

5 (1) Grain and other agricultural crops in an unmanufactured condition;

6 (2) Livestock;

7 (3) Farm machinery;

8 (4) Vehicles, including recreational vehicles, but not including  
9 manufactured homes, as defined in section 700.010, which are actually used as  
10 dwelling units;

11 (5) Manufactured homes, as defined in section 700.010, which are actually  
12 used as dwelling units;

13 (6) Motor vehicles which are eligible for registration and are registered  
14 as historic motor vehicles under section 301.131;

15 (7) **Hydroelectric power generating equipment;**

16 (8) All taxable tangible personal property not included in subclass (1),  
17 subclass (2), subclass (3), subclass (4), subclass (5), [or] subclass (6), or subclass  
18 (7).

137.115. 1. All other laws to the contrary notwithstanding, the assessor  
2 or the assessor's deputies in all counties of this state including the city of St.  
3 Louis shall annually make a list of all real and tangible personal property taxable  
4 in the assessor's city, county, town or district. Except as otherwise provided in  
5 subsection 3 of this section and section 137.078, the assessor shall annually  
6 assess all personal property at thirty-three and one-third percent of its true value  
7 in money as of January first of each calendar year. The assessor shall annually  
8 assess all real property, including any new construction and improvements to real  
9 property, and possessory interests in real property at the percent of its true value  
10 in money set in subsection 5 of this section. The true value in money of any  
11 possessory interest in real property in subclass (3), where such real property is  
12 on or lies within the ultimate airport boundary as shown by a federal airport  
13 layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR  
14 Part 139 certification and owned by a political subdivision, shall be the otherwise  
15 applicable true value in money of any such possessory interest in real property,  
16 less the total dollar amount of costs paid by a party, other than the political

17 subdivision, towards any new construction or improvements on such real property  
18 completed after January 1, 2008, and which are included in the above-mentioned  
19 possessory interest, regardless of the year in which such costs were incurred or  
20 whether such costs were considered in any prior year. The assessor shall  
21 annually assess all real property in the following manner: new assessed values  
22 shall be determined as of January first of each odd-numbered year and shall be  
23 entered in the assessor's books; those same assessed values shall apply in the  
24 following even-numbered year, except for new construction and property  
25 improvements which shall be valued as though they had been completed as of  
26 January first of the preceding odd-numbered year. The assessor may call at the  
27 office, place of doing business, or residence of each person required by this  
28 chapter to list property, and require the person to make a correct statement of all  
29 taxable tangible personal property owned by the person or under his or her care,  
30 charge or management, taxable in the county. On or before January first of each  
31 even-numbered year, the assessor shall prepare and submit a two-year  
32 assessment maintenance plan to the county governing body and the state tax  
33 commission for their respective approval or modification. The county governing  
34 body shall approve and forward such plan or its alternative to the plan to the  
35 state tax commission by February first. If the county governing body fails to  
36 forward the plan or its alternative to the plan to the state tax commission by  
37 February first, the assessor's plan shall be considered approved by the county  
38 governing body. If the state tax commission fails to approve a plan and if the  
39 state tax commission and the assessor and the governing body of the county  
40 involved are unable to resolve the differences, in order to receive state cost-share  
41 funds outlined in section 137.750, the county or the assessor shall petition the  
42 administrative hearing commission, by May first, to decide all matters in dispute  
43 regarding the assessment maintenance plan. Upon agreement of the parties, the  
44 matter may be stayed while the parties proceed with mediation or arbitration  
45 upon terms agreed to by the parties. The final decision of the administrative  
46 hearing commission shall be subject to judicial review in the circuit court of the  
47 county involved. In the event a valuation of subclass (1) real property within any  
48 county with a charter form of government, or within a city not within a county,  
49 is made by a computer, computer-assisted method or a computer program, the  
50 burden of proof, supported by clear, convincing and cogent evidence to sustain  
51 such valuation, shall be on the assessor at any hearing or appeal. In any such  
52 county, unless the assessor proves otherwise, there shall be a presumption that

53 the assessment was made by a computer, computer-assisted method or a  
54 computer program. Such evidence shall include, but shall not be limited to, the  
55 following:

56 (1) The findings of the assessor based on an appraisal of the property by  
57 generally accepted appraisal techniques; and

58 (2) The purchase prices from sales of at least three comparable properties  
59 and the address or location thereof. As used in this subdivision, the word  
60 "comparable" means that:

61 (a) Such sale was closed at a date relevant to the property valuation; and

62 (b) Such properties are not more than one mile from the site of the  
63 disputed property, except where no similar properties exist within one mile of the  
64 disputed property, the nearest comparable property shall be used. Such property  
65 shall be within five hundred square feet in size of the disputed property, and  
66 resemble the disputed property in age, floor plan, number of rooms, and other  
67 relevant characteristics.

68 2. Assessors in each county of this state and the city of St. Louis may send  
69 personal property assessment forms through the mail.

70 3. The following items of personal property shall each constitute separate  
71 subclasses of tangible personal property and shall be assessed and valued for the  
72 purposes of taxation at the following percentages of their true value in money:

73 (1) Grain and other agricultural crops in an unmanufactured condition,  
74 one-half of one percent;

75 (2) Livestock, twelve percent;

76 (3) Farm machinery, twelve percent;

77 (4) Motor vehicles which are eligible for registration as and are registered  
78 as historic motor vehicles pursuant to section 301.131 and aircraft which are at  
79 least twenty-five years old and which are used solely for noncommercial purposes  
80 and are operated less than fifty hours per year or aircraft that are home built  
81 from a kit, five percent;

82 (5) Poultry, twelve percent; [and]

83 (6) Tools and equipment used for pollution control and tools and  
84 equipment used in retooling for the purpose of introducing new product lines or  
85 used for making improvements to existing products by any company which is  
86 located in a state enterprise zone and which is identified by any standard  
87 industrial classification number cited in subdivision (6) of section 135.200,  
88 twenty-five percent; **and**

89           **(7) Hydroelectric power generating equipment, one percent.**

90           4. The person listing the property shall enter a true and correct statement  
91 of the property, in a printed blank prepared for that purpose. The statement,  
92 after being filled out, shall be signed and either affirmed or sworn to as provided  
93 in section 137.155. The list shall then be delivered to the assessor.

94           5. All subclasses of real property, as such subclasses are established in  
95 section 4(b) of article X of the Missouri Constitution and defined in section  
96 137.016, shall be assessed at the following percentages of true value:

97           (1) For real property in subclass (1), nineteen percent;

98           (2) For real property in subclass (2), twelve percent; and

99           (3) For real property in subclass (3), thirty-two percent.

100          6. Manufactured homes, as defined in section 700.010, which are actually  
101 used as dwelling units shall be assessed at the same percentage of true value as  
102 residential real property for the purpose of taxation. The percentage of  
103 assessment of true value for such manufactured homes shall be the same as for  
104 residential real property. If the county collector cannot identify or find the  
105 manufactured home when attempting to attach the manufactured home for  
106 payment of taxes owed by the manufactured home owner, the county collector  
107 may request the county commission to have the manufactured home removed from  
108 the tax books, and such request shall be granted within thirty days after the  
109 request is made; however, the removal from the tax books does not remove the tax  
110 lien on the manufactured home if it is later identified or found. For purposes of  
111 this section, a manufactured home located in a manufactured home rental park,  
112 rental community or on real estate not owned by the manufactured home owner  
113 shall be considered personal property. For purposes of this section, a  
114 manufactured home located on real estate owned by the manufactured home  
115 owner may be considered real property.

116          7. Each manufactured home assessed shall be considered a parcel for the  
117 purpose of reimbursement pursuant to section 137.750, unless the manufactured  
118 home is real estate as defined in subsection 7 of section 442.015 and assessed as  
119 a realty improvement to the existing real estate parcel.

120          8. Any amount of tax due and owing based on the assessment of a  
121 manufactured home shall be included on the personal property tax statement of  
122 the manufactured home owner unless the manufactured home is real estate as  
123 defined in subsection 7 of section 442.015, in which case the amount of tax due  
124 and owing on the assessment of the manufactured home as a realty improvement

125 to the existing real estate parcel shall be included on the real property tax  
126 statement of the real estate owner.

127           9. The assessor of each county and each city not within a county shall use  
128 the trade-in value published in the October issue of the National Automobile  
129 Dealers' Association Official Used Car Guide, or its successor publication, as the  
130 recommended guide of information for determining the true value of motor  
131 vehicles described in such publication. In the absence of a listing for a particular  
132 motor vehicle in such publication, the assessor shall use such information or  
133 publications which in the assessor's judgment will fairly estimate the true value  
134 in money of the motor vehicle.

135           10. Before the assessor may increase the assessed valuation of any parcel  
136 of subclass (1) real property by more than fifteen percent since the last  
137 assessment, excluding increases due to new construction or improvements, the  
138 assessor shall conduct a physical inspection of such property.

139           11. If a physical inspection is required, pursuant to subsection 10 of this  
140 section, the assessor shall notify the property owner of that fact in writing and  
141 shall provide the owner clear written notice of the owner's rights relating to the  
142 physical inspection. If a physical inspection is required, the property owner may  
143 request that an interior inspection be performed during the physical  
144 inspection. The owner shall have no less than thirty days to notify the assessor  
145 of a request for an interior physical inspection.

146           12. A physical inspection, as required by subsection 10 of this section,  
147 shall include, but not be limited to, an on-site personal observation and review  
148 of all exterior portions of the land and any buildings and improvements to which  
149 the inspector has or may reasonably and lawfully gain external access, and shall  
150 include an observation and review of the interior of any buildings or  
151 improvements on the property upon the timely request of the owner pursuant to  
152 subsection 11 of this section. Mere observation of the property via a drive-by  
153 inspection or the like shall not be considered sufficient to constitute a physical  
154 inspection as required by this section.

155           13. The provisions of subsections 11 and 12 of this section shall only apply  
156 in any county with a charter form of government with more than one million  
157 inhabitants.

158           14. A county or city collector may accept credit cards as proper form of  
159 payment of outstanding property tax or license due. No county or city collector  
160 may charge surcharge for payment by credit card which exceeds the fee or

161 surcharge charged by the credit card bank, processor, or issuer for its service. A  
162 county or city collector may accept payment by electronic transfers of funds in  
163 payment of any tax or license and charge the person making such payment a fee  
164 equal to the fee charged the county by the bank, processor, or issuer of such  
165 electronic payment.

166           15. Any county or city not within a county in this state may, by an  
167 affirmative vote of the governing body of such county, opt out of the provisions of  
168 this section and sections 137.073, 138.060, and 138.100 as enacted by house bill  
169 no. 1150 of the ninety-first general assembly, second regular session and section  
170 137.073 as modified by house committee substitute for senate substitute for  
171 senate committee substitute for senate bill no. 960, ninety-second general  
172 assembly, second regular session, for the next year of the general reassessment,  
173 prior to January first of any year. No county or city not within a county shall  
174 exercise this opt-out provision after implementing the provisions of this section  
175 and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of  
176 the ninety-first general assembly, second regular session and section 137.073 as  
177 modified by house committee substitute for senate substitute for senate  
178 committee substitute for senate bill no. 960, ninety-second general assembly,  
179 second regular session, in a year of general reassessment. For the purposes of  
180 applying the provisions of this subsection, a political subdivision contained within  
181 two or more counties where at least one of such counties has opted out and at  
182 least one of such counties has not opted out shall calculate a single tax rate as  
183 in effect prior to the enactment of house bill no. 1150 of the ninety-first general  
184 assembly, second regular session. A governing body of a city not within a county  
185 or a county that has opted out under the provisions of this subsection may choose  
186 to implement the provisions of this section and sections 137.073, 138.060, and  
187 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly,  
188 second regular session, and section 137.073 as modified by house committee  
189 substitute for senate substitute for senate committee substitute for senate bill no.  
190 960, ninety-second general assembly, second regular session, for the next year of  
191 general reassessment, by an affirmative vote of the governing body prior to  
192 December thirty-first of any year.

193           16. The governing body of any city of the third classification with more  
194 than twenty-six thousand three hundred but fewer than twenty-six thousand  
195 seven hundred inhabitants located in any county that has exercised its authority  
196 to opt out under subsection 15 of this section may levy separate and differing tax

197 rates for real and personal property only if such city bills and collects its own  
198 property taxes or satisfies the entire cost of the billing and collection of such  
199 separate and differing tax rates. Such separate and differing rates shall not  
200 exceed such city's tax rate ceiling.

[137.115. 1. All other laws to the contrary notwithstanding,  
2 the assessor or the assessor's deputies in all counties of this state  
3 including the city of St. Louis shall annually make a list of all real  
4 and tangible personal property taxable in the assessor's city,  
5 county, town or district. Except as otherwise provided in  
6 subsection 3 of this section and section 137.078, the assessor shall  
7 annually assess all personal property at thirty-three and one-third  
8 percent of its true value in money as of January first of each  
9 calendar year. The assessor shall annually assess all real property,  
10 including any new construction and improvements to real property,  
11 and possessory interests in real property at the percent of its true  
12 value in money set in subsection 5 of this section. The true value  
13 in money of any possessory interest in real property in subclass (3),  
14 where such real property is on or lies within the ultimate airport  
15 boundary as shown by a federal airport layout plan, as defined by  
16 14 CFR 151.5, of a commercial airport having a FAR Part 139  
17 certification and owned by a political subdivision, shall be the  
18 otherwise applicable true value in money of any such possessory  
19 interest in real property, less the total dollar amount of costs paid  
20 by a party, other than the political subdivision, towards any new  
21 construction or improvements on such real property completed after  
22 January 1, 2008, and which are included in the above-mentioned  
23 possessory interest, regardless of the year in which such costs were  
24 incurred or whether such costs were considered in any prior  
25 year. The assessor shall annually assess all real property in the  
26 following manner: new assessed values shall be determined as of  
27 January first of each odd-numbered year and shall be entered in  
28 the assessor's books; those same assessed values shall apply in the  
29 following even-numbered year, except for new construction and  
30 property improvements which shall be valued as though they had  
31 been completed as of January first of the preceding odd-numbered  
32 year. The assessor may call at the office, place of doing business,

33 or residence of each person required by this chapter to list  
34 property, and require the person to make a correct statement of all  
35 taxable tangible personal property owned by the person or under  
36 his or her care, charge or management, taxable in the county. On  
37 or before January first of each even-numbered year, the assessor  
38 shall prepare and submit a two-year assessment maintenance plan  
39 to the county governing body and the state tax commission for their  
40 respective approval or modification. The county governing body  
41 shall approve and forward such plan or its alternative to the plan  
42 to the state tax commission by February first. If the county  
43 governing body fails to forward the plan or its alternative to the  
44 plan to the state tax commission by February first, the assessor's  
45 plan shall be considered approved by the county governing body. If  
46 the state tax commission fails to approve a plan and if the state tax  
47 commission and the assessor and the governing body of the county  
48 involved are unable to resolve the differences, in order to receive  
49 state cost-share funds outlined in section 137.750, the county or the  
50 assessor shall petition the administrative hearing commission, by  
51 May first, to decide all matters in dispute regarding the  
52 assessment maintenance plan. Upon agreement of the parties, the  
53 matter may be stayed while the parties proceed with mediation or  
54 arbitration upon terms agreed to by the parties. The final decision  
55 of the administrative hearing commission shall be subject to  
56 judicial review in the circuit court of the county involved. In the  
57 event a valuation of subclass (1) real property within any county  
58 with a charter form of government, or within a city not within a  
59 county, is made by a computer, computer-assisted method or a  
60 computer program, the burden of proof, supported by clear,  
61 convincing and cogent evidence to sustain such valuation, shall be  
62 on the assessor at any hearing or appeal. In any such county,  
63 unless the assessor proves otherwise, there shall be a presumption  
64 that the assessment was made by a computer, computer-assisted  
65 method or a computer program. Such evidence shall include, but  
66 shall not be limited to, the following:

67 (1) The findings of the assessor based on an appraisal of the  
68 property by generally accepted appraisal techniques; and

69           (2) The purchase prices from sales of at least three  
70 comparable properties and the address or location thereof. As used  
71 in this subdivision, the word "comparable" means that:

72           (a) Such sale was closed at a date relevant to the property  
73 valuation; and

74           (b) Such properties are not more than one mile from the  
75 site of the disputed property, except where no similar properties  
76 exist within one mile of the disputed property, the nearest  
77 comparable property shall be used. Such property shall be within  
78 five hundred square feet in size of the disputed property, and  
79 resemble the disputed property in age, floor plan, number of rooms,  
80 and other relevant characteristics.

81           2. Assessors in each county of this state and the city of St.  
82 Louis may send personal property assessment forms through the  
83 mail.

84           3. The following items of personal property shall each  
85 constitute separate subclasses of tangible personal property and  
86 shall be assessed and valued for the purposes of taxation at the  
87 following percentages of their true value in money:

88           (1) Grain and other agricultural crops in an  
89 unmanufactured condition, one-half of one percent;

90           (2) Livestock, twelve percent;

91           (3) Farm machinery, twelve percent;

92           (4) Motor vehicles which are eligible for registration as and  
93 are registered as historic motor vehicles pursuant to section  
94 301.131 and aircraft which are at least twenty-five years old and  
95 which are used solely for noncommercial purposes and are operated  
96 less than fifty hours per year or aircraft that are home built from  
97 a kit, five percent;

98           (5) Poultry, twelve percent; and

99           (6) Tools and equipment used for pollution control and tools  
100 and equipment used in retooling for the purpose of introducing new  
101 product lines or used for making improvements to existing products  
102 by any company which is located in a state enterprise zone and  
103 which is identified by any standard industrial classification  
104 number cited in subdivision (6) of section 135.200, twenty-five

105 percent.

106 4. The person listing the property shall enter a true and  
107 correct statement of the property, in a printed blank prepared for  
108 that purpose. The statement, after being filled out, shall be signed  
109 and either affirmed or sworn to as provided in section  
110 137.155. The list shall then be delivered to the assessor.

111 5. All subclasses of real property, as such subclasses are  
112 established in section 4(b) of article X of the Missouri Constitution  
113 and defined in section 137.016, shall be assessed at the following  
114 percentages of true value:

- 115 (1) For real property in subclass (1), nineteen percent;  
116 (2) For real property in subclass (2), twelve percent; and  
117 (3) For real property in subclass (3), thirty-two percent.

118 6. Manufactured homes, as defined in section 700.010,  
119 which are actually used as dwelling units shall be assessed at the  
120 same percentage of true value as residential real property for the  
121 purpose of taxation. The percentage of assessment of true value for  
122 such manufactured homes shall be the same as for residential real  
123 property. If the county collector cannot identify or find the  
124 manufactured home when attempting to attach the manufactured  
125 home for payment of taxes owed by the manufactured home owner,  
126 the county collector may request the county commission to have the  
127 manufactured home removed from the tax books, and such request  
128 shall be granted within thirty days after the request is made;  
129 however, the removal from the tax books does not remove the tax  
130 lien on the manufactured home if it is later identified or found. A  
131 manufactured home located in a manufactured home rental park,  
132 rental community or on real estate not owned by the manufactured  
133 home owner shall be considered personal property. A  
134 manufactured home located on real estate owned by the  
135 manufactured home owner may be considered real property.

136 7. Each manufactured home assessed shall be considered a  
137 parcel for the purpose of reimbursement pursuant to section  
138 137.750, unless the manufactured home has been converted to real  
139 property in compliance with section 700.111 and assessed as a  
140 realty improvement to the existing real estate parcel.

141           8. Any amount of tax due and owing based on the  
142 assessment of a manufactured home shall be included on the  
143 personal property tax statement of the manufactured home owner  
144 unless the manufactured home has been converted to real property  
145 in compliance with section 700.111, in which case the amount of  
146 tax due and owing on the assessment of the manufactured home as  
147 a realty improvement to the existing real estate parcel shall be  
148 included on the real property tax statement of the real estate  
149 owner.

150           9. The assessor of each county and each city not within a  
151 county shall use the trade-in value published in the October issue  
152 of the National Automobile Dealers' Association Official Used Car  
153 Guide, or its successor publication, as the recommended guide of  
154 information for determining the true value of motor vehicles  
155 described in such publication. In the absence of a listing for a  
156 particular motor vehicle in such publication, the assessor shall use  
157 such information or publications which in the assessor's judgment  
158 will fairly estimate the true value in money of the motor vehicle.

159           10. Before the assessor may increase the assessed valuation  
160 of any parcel of subclass (1) real property by more than fifteen  
161 percent since the last assessment, excluding increases due to new  
162 construction or improvements, the assessor shall conduct a physical  
163 inspection of such property.

164           11. If a physical inspection is required, pursuant to  
165 subsection 10 of this section, the assessor shall notify the property  
166 owner of that fact in writing and shall provide the owner clear  
167 written notice of the owner's rights relating to the physical  
168 inspection. If a physical inspection is required, the property owner  
169 may request that an interior inspection be performed during the  
170 physical inspection. The owner shall have no less than thirty days  
171 to notify the assessor of a request for an interior physical  
172 inspection.

173           12. A physical inspection, as required by subsection 10 of  
174 this section, shall include, but not be limited to, an on-site personal  
175 observation and review of all exterior portions of the land and any  
176 buildings and improvements to which the inspector has or may

177 reasonably and lawfully gain external access, and shall include an  
178 observation and review of the interior of any buildings or  
179 improvements on the property upon the timely request of the owner  
180 pursuant to subsection 11 of this section. Mere observation of the  
181 property via a drive-by inspection or the like shall not be  
182 considered sufficient to constitute a physical inspection as required  
183 by this section.

184 13. The provisions of subsections 11 and 12 of this section  
185 shall only apply in any county with a charter form of government  
186 with more than one million inhabitants.

187 14. A county or city collector may accept credit cards as  
188 proper form of payment of outstanding property tax or license  
189 due. No county or city collector may charge surcharge for payment  
190 by credit card which exceeds the fee or surcharge charged by the  
191 credit card bank, processor, or issuer for its service. A county or  
192 city collector may accept payment by electronic transfers of funds  
193 in payment of any tax or license and charge the person making  
194 such payment a fee equal to the fee charged the county by the  
195 bank, processor, or issuer of such electronic payment.

196 15. Any county or city not within a county in this state  
197 may, by an affirmative vote of the governing body of such county,  
198 opt out of the provisions of this section and sections 137.073,  
199 138.060, and 138.100 as enacted by house bill no. 1150 of the  
200 ninety-first general assembly, second regular session and section  
201 137.073 as modified by house committee substitute for senate  
202 substitute for senate committee substitute for senate bill no. 960,  
203 ninety-second general assembly, second regular session, for the  
204 next year of the general reassessment, prior to January first of any  
205 year. No county or city not within a county shall exercise this  
206 opt-out provision after implementing the provisions of this section  
207 and sections 137.073, 138.060, and 138.100 as enacted by house bill  
208 no. 1150 of the ninety-first general assembly, second regular  
209 session and section 137.073 as modified by house committee  
210 substitute for senate substitute for senate committee substitute for  
211 senate bill no. 960, ninety-second general assembly, second regular  
212 session, in a year of general reassessment. For the purposes of

213 applying the provisions of this subsection, a political subdivision  
214 contained within two or more counties where at least one of such  
215 counties has opted out and at least one of such counties has not  
216 opted out shall calculate a single tax rate as in effect prior to the  
217 enactment of house bill no. 1150 of the ninety-first general  
218 assembly, second regular session. A governing body of a city not  
219 within a county or a county that has opted out under the provisions  
220 of this subsection may choose to implement the provisions of this  
221 section and sections 137.073, 138.060, and 138.100 as enacted by  
222 house bill no. 1150 of the ninety-first general assembly, second  
223 regular session, and section 137.073 as modified by house  
224 committee substitute for senate substitute for senate committee  
225 substitute for senate bill no. 960, ninety-second general assembly,  
226 second regular session, for the next year of general reassessment,  
227 by an affirmative vote of the governing body prior to December  
228 thirty-first of any year.

229 16. The governing body of any city of the third classification  
230 with more than twenty-six thousand three hundred but fewer than  
231 twenty-six thousand seven hundred inhabitants located in any  
232 county that has exercised its authority to opt out under subsection  
233 15 of this section may levy separate and differing tax rates for real  
234 and personal property only if such city bills and collects its own  
235 property taxes or satisfies the entire cost of the billing and  
236 collection of such separate and differing tax rates. Such separate  
237 and differing rates shall not exceed such city's tax rate ceiling.]

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