

SECOND REGULAR SESSION

SENATE JOINT RESOLUTION NO. 40

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOENIG.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

3355S.02I

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing sections 4(d) and 26 of article X of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to taxation.

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
2 Tuesday next following the first Monday in November, 2020, or at a special
3 election to be called by the governor for that purpose, there is hereby submitted
4 to the qualified voters of this state, for adoption or rejection, the following
5 amendment to article X of the Constitution of the state of Missouri:

Section A. Sections 4(d) and 26, article X, Constitution of Missouri, are
2 repealed and two new sections adopted in lieu thereof, to be known as sections
3 4(d) and 26, to read as follows:

Section 4(d). In enacting any law imposing a tax on or measured by
2 income, the general assembly may define income by reference to provisions of the
3 laws of the United States as they may be or become effective at any time or from
4 time to time, whether retrospective or prospective in their operation. The general
5 assembly shall in any such law set the rate or rates of such tax, **except that**
6 **such rate or rates shall not exceed five and nine-tenths percent.** The
7 general assembly may in so defining income make exceptions, additions, or
8 modifications to any provisions of the laws of the United States so referred to and
9 for retrospective exceptions or modifications to those provisions which are
10 retrospective.

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

5 use or similar transaction-based tax on January 1, 2015.

Section B. Pursuant to chapter 116, and other applicable constitutional
2 provisions and laws of this state allowing the general assembly to adopt ballot
3 language for the submission of this joint resolution to the voters of this state, the
4 official summary statement of this resolution shall be as follows:

5 "Shall the Missouri Constitution be amended to prohibit the
6 General Assembly from setting an income tax rate in excess of five
7 and nine-tenths percent and to prohibit new sales and use taxes on
8 professional services and real estate transactions?"

Unofficial ✓

Bill

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