

SECOND REGULAR SESSION

SENATE JOINT RESOLUTION NO. 40

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR LUETKEMEYER.

3455S.01I

ADRIANE D. CROUSE, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 6 of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property tax exemptions.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the
2 state of Missouri, on Tuesday next following the first Monday
3 in November, 2022, or at a special election to be called by
4 the governor for that purpose, there is hereby submitted to
5 the qualified voters of this state, for adoption or
6 rejection, the following amendment to article X of the
7 Constitution of the state of Missouri:

Section A. Section 6, article X, Constitution of Missouri,
2 is repealed and one new section adopted in lieu thereof, to be
3 known as section 6, to read as follows:

Section 6. 1. All property, real and personal, of the
2 state, counties and other political subdivisions, and
3 nonprofit cemeteries, and all real property used as a
4 homestead as defined by law of any citizen of this state who
5 is a [former prisoner of war, as defined by law,] **veteran of**
6 **the Armed Forces of the United States** and who has a total
7 service-connected disability, shall be exempt from taxation;
8 all personal property held as industrial inventories,
9 including raw materials, work in progress and finished work
10 on hand, by manufacturers and refiners, and all personal

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

11 property held as goods, wares, merchandise, stock in trade
12 or inventory for resale by distributors, wholesalers, or
13 retail merchants or establishments shall be exempt from
14 taxation; and all property, real and personal, not held for
15 private or corporate profit and used exclusively for
16 religious worship, for schools and colleges, for purposes
17 purely charitable, for agricultural and horticultural
18 societies, or for veterans' organizations may be exempted
19 from taxation by general law. In addition to the above,
20 household goods, furniture, wearing apparel and articles of
21 personal use and adornment owned and used by a person in his
22 home or dwelling place may be exempt from taxation by
23 general law but any such law may provide for approximate
24 restitution to the respective political subdivisions of
25 revenues lost by reason of the exemption. All laws
26 exempting from taxation property other than the property
27 enumerated in this article, shall be void. The provisions
28 of this section exempting certain personal property of
29 manufacturers, refiners, distributors, wholesalers, and
30 retail merchants and establishments from taxation shall
31 become effective, unless otherwise provided by law, in each
32 county on January 1 of the year in which that county
33 completes its first general reassessment as defined by law.

34 2. All revenues lost because of the exemption of
35 certain personal property of manufacturers, refiners,
36 distributors, wholesalers, and retail merchants and
37 establishments shall be replaced to each taxing authority
38 within a county from a countywide tax hereby imposed on all
39 property in subclass 3 of class 1 in each county. For the
40 year in which the exemption becomes effective, the county
41 clerk shall calculate the total revenue lost by all taxing
42 authorities in the county and extend upon all property in

43 subclass 3 of class 1 within the county, a tax at the rate
44 necessary to produce that amount. The rate of tax levied in
45 each county according to this subsection shall not be
46 increased above the rate first imposed and will stand levied
47 at that rate unless later reduced according to the
48 provisions of subsection 3. The county collector shall
49 disburse the proceeds according to the revenue lost by each
50 taxing authority because of the exemption of such property
51 in that county. Restitution of the revenues lost by any
52 taxing district contained in more than one county shall be
53 from the several counties according to the revenue lost
54 because of the exemption of property in each county. Each
55 year after the first year the replacement tax is imposed,
56 the amount distributed to each taxing authority in a county
57 shall be increased or decreased by an amount equal to the
58 amount resulting from the change in that district's total
59 assessed value of property in subclass 3 of class 1 at the
60 countywide replacement tax rate. In order to implement the
61 provisions of this subsection, the limits set in section
62 11(b) of this article may be exceeded, without voter
63 approval, if necessary to allow each county listed in
64 section 11(b) to comply with this subsection.

65 3. Any increase in the tax rate imposed pursuant to
66 subsection 2 of this section shall be decreased if such
67 decrease is approved by a majority of the voters of the
68 county voting on such decrease. A decrease in the increased
69 tax rate imposed under subsection 2 of this section may be
70 submitted to the voters of a county by the governing body
71 thereof upon its own order, ordinance, or resolution and
72 shall be submitted upon the petition of at least eight
73 percent of the qualified voters who voted in the immediately
74 preceding gubernatorial election.

75 4. As used in this section, the terms "revenues lost"
76 and "lost revenues" shall mean that revenue which each
77 taxing authority received from the imposition of a tangible
78 personal property tax on all personal property held as
79 industrial inventories, including raw materials, work in
80 progress and finished work on hand, by manufacturers and
81 refiners, and all personal property held as goods, wares,
82 merchandise, stock in trade or inventory for resale by
83 distributors, wholesalers, or retail merchants or
84 establishments in the last full tax year immediately
85 preceding the effective date of the exemption from taxation
86 granted for such property under subsection 1 of this
87 section, and which was no longer received after such
88 exemption became effective.

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

7 "Shall the Missouri Constitution be amended to
8 exempt veterans of the Armed Forces with a total
9 service-connected disability from property tax
10 on the veteran's real property?"

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