

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/HCS/House Bill No. 268, Page 18, Section 135.1350, Line 168,

2 by inserting after all of said line the following:

3 "137.115. 1. All other laws to the contrary
4 notwithstanding, the assessor or the assessor's deputies in
5 all counties of this state including the City of St. Louis
6 shall annually make a list of all real and tangible personal
7 property taxable in the assessor's city, county, town or
8 district. Except as otherwise provided in subsection 3 of
9 this section and section 137.078, for all calendar years
10 ending on or before December 31, 2023, the assessor shall
11 annually assess all personal property at thirty-three and
12 one-third percent of its true value in money as of January
13 first of each calendar year. Except as otherwise provided
14 in subsection 3 of this section and section 137.078, for all
15 calendar years beginning on or after January 1, 2024, the
16 assessor shall annually assess all personal property at
17 thirty-two and eight-tenths percent of its true value in
18 money as of January first of each calendar year. The
19 assessor shall annually assess all real property, including
20 any new construction and improvements to real property, and
21 possessory interests in real property at the percent of its
22 true value in money set in subsection 5 of this section.
23 The true value in money of any possessory interest in real
24 property in subclass (3), where such real property is on or
25 lies within the ultimate airport boundary as shown by a
26 federal airport layout plan, as defined by 14 CFR 151.5, of

27 a commercial airport having a FAR Part 139 certification and
28 owned by a political subdivision, shall be the otherwise
29 applicable true value in money of any such possessory
30 interest in real property, less the total dollar amount of
31 costs paid by a party, other than the political subdivision,
32 towards any new construction or improvements on such real
33 property completed after January 1, 2008, and which are
34 included in the above-mentioned possessory interest,
35 regardless of the year in which such costs were incurred or
36 whether such costs were considered in any prior year. The
37 assessor shall annually assess all real property in the
38 following manner: new assessed values shall be determined as
39 of January first of each odd-numbered year and shall be
40 entered in the assessor's books; those same assessed values
41 shall apply in the following even-numbered year, except for
42 new construction and property improvements which shall be
43 valued as though they had been completed as of January first
44 of the preceding odd-numbered year. The assessor may call
45 at the office, place of doing business, or residence of each
46 person required by this chapter to list property, and
47 require the person to make a correct statement of all
48 taxable tangible personal property owned by the person or
49 under his or her care, charge or management, taxable in the
50 county. On or before January first of each even-numbered
51 year, the assessor shall prepare and submit a two-year
52 assessment maintenance plan to the county governing body and
53 the state tax commission for their respective approval or
54 modification. The county governing body shall approve and
55 forward such plan or its alternative to the plan to the
56 state tax commission by February first. If the county
57 governing body fails to forward the plan or its alternative
58 to the plan to the state tax commission by February first,
59 the assessor's plan shall be considered approved by the

60 county governing body. If the state tax commission fails to
61 approve a plan and if the state tax commission and the
62 assessor and the governing body of the county involved are
63 unable to resolve the differences, in order to receive state
64 cost-share funds outlined in section 137.750, the county or
65 the assessor shall petition the administrative hearing
66 commission, by May first, to decide all matters in dispute
67 regarding the assessment maintenance plan. Upon agreement
68 of the parties, the matter may be stayed while the parties
69 proceed with mediation or arbitration upon terms agreed to
70 by the parties. The final decision of the administrative
71 hearing commission shall be subject to judicial review in
72 the circuit court of the county involved. In the event a
73 valuation of subclass (1) real property within any county
74 with a charter form of government, or within a city not
75 within a county, is made by a computer, computer-assisted
76 method or a computer program, the burden of proof, supported
77 by clear, convincing and cogent evidence to sustain such
78 valuation, shall be on the assessor at any hearing or
79 appeal. In any such county, unless the assessor proves
80 otherwise, there shall be a presumption that the assessment
81 was made by a computer, computer-assisted method or a
82 computer program. Such evidence shall include, but shall
83 not be limited to, the following:

84 (1) The findings of the assessor based on an appraisal
85 of the property by generally accepted appraisal techniques;
86 and

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

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

93 (b) Such properties are not more than one mile from
94 the site of the disputed property, except where no similar
95 properties exist within one mile of the disputed property,
96 the nearest comparable property shall be used. Such
97 property shall be within five hundred square feet in size of
98 the disputed property, and resemble the disputed property in
99 age, floor plan, number of rooms, and other relevant
100 characteristics.

101 2. Assessors in each county of this state and the City
102 of St. Louis may send personal property assessment forms
103 through the mail.

104 3. The following items of personal property shall each
105 constitute separate subclasses of tangible personal property
106 and shall be assessed and valued for the purposes of
107 taxation at the following percentages of their true value in
108 money:

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

111 (2) Livestock, twelve percent;

112 (3) Farm machinery, twelve percent;

113 (4) Motor vehicles which are eligible for registration
114 as and are registered as historic motor vehicles pursuant to
115 section 301.131 and aircraft which are at least twenty-five
116 years old and which are used solely for noncommercial
117 purposes and are operated less than two hundred hours per
118 year or aircraft that are home built from a kit, five
119 percent;

120 (5) Poultry, twelve percent; and

121 (6) Tools and equipment used for pollution control and
122 tools and equipment used in retooling for the purpose of
123 introducing new product lines or used for making
124 improvements to existing products by any company which is
125 located in a state enterprise zone and which is identified

126 by any standard industrial classification number cited in
127 subdivision (7) of section 135.200, twenty-five percent.

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

134 5. (1) All subclasses of real property, as such
135 subclasses are established in Section 4(b) of Article X of
136 the Missouri Constitution and defined in section 137.016,
137 shall be assessed at the following percentages of true value:

138 (a) For real property in subclass (1), nineteen
139 percent;

140 (b) For real property in subclass (2), twelve percent;
141 and

142 (c) For real property in subclass (3), thirty-two
143 percent.

144 (2) A taxpayer may apply to the county assessor, or,
145 if not located within a county, then the assessor of such
146 city, for the reclassification of such taxpayer's real
147 property if the use or purpose of such real property is
148 changed after such property is assessed under the provisions
149 of this chapter. If the assessor determines that such
150 property shall be reclassified, he or she shall determine
151 the assessment under this subsection based on the percentage
152 of the tax year that such property was classified in each
153 subclassification.

154 6. Manufactured homes, as defined in section 700.010,
155 which are actually used as dwelling units shall be assessed
156 at the same percentage of true value as residential real
157 property for the purpose of taxation. The percentage of
158 assessment of true value for such manufactured homes shall

159 be the same as for residential real property. If the county
160 collector cannot identify or find the manufactured home when
161 attempting to attach the manufactured home for payment of
162 taxes owed by the manufactured home owner, the county
163 collector may request the county commission to have the
164 manufactured home removed from the tax books, and such
165 request shall be granted within thirty days after the
166 request is made; however, the removal from the tax books
167 does not remove the tax lien on the manufactured home if it
168 is later identified or found. For purposes of this section,
169 a manufactured home located in a manufactured home rental
170 park, rental community or on real estate not owned by the
171 manufactured home owner shall be considered personal
172 property. For purposes of this section, a manufactured home
173 located on real estate owned by the manufactured home owner
174 may be considered real property.

175 7. Each manufactured home assessed shall be considered
176 a parcel for the purpose of reimbursement pursuant to
177 section 137.750, unless the manufactured home is deemed to
178 be real estate as defined in subsection 7 of section 442.015
179 and assessed as a realty improvement to the existing real
180 estate parcel.

181 8. Any amount of tax due and owing based on the
182 assessment of a manufactured home shall be included on the
183 personal property tax statement of the manufactured home
184 owner unless the manufactured home is deemed to be real
185 estate as defined in subsection 7 of section 442.015, in
186 which case the amount of tax due and owing on the assessment
187 of the manufactured home as a realty improvement to the
188 existing real estate parcel shall be included on the real
189 property tax statement of the real estate owner.

190 9. (1) To determine the true value in money for motor
191 vehicles, the assessor of each county and each city not

192 within a county shall use the [trade-in value published in
193 the October issue of the National Automobile Dealers'
194 Association Official Used Car Guide, or its successor
195 publication, as the recommended guide of information for
196 determining the true value of motor vehicles described in
197 such publication. The assessor shall not use a value that
198 is greater than the average trade-in value in determining
199 the true value of the motor vehicle without performing a
200 physical inspection of the motor vehicle. For vehicles two
201 years old or newer from a vehicle's model year, the assessor
202 may use a value other than average without performing a
203 physical inspection of the motor vehicle. In the absence of
204 a listing for a particular motor vehicle in such
205 publication, the assessor shall use such information or
206 publications which in the assessor's judgment will fairly
207 estimate the true value in money of the motor vehicle.]

208 trade-in value published in the current or any of the three
209 immediately previous years' October issue of a nationally
210 recognized automotive trade publication selected by the
211 state tax commission. The assessor shall not use a value
212 that is greater than the average trade-in value for such
213 motor vehicle in determining the true value of the motor
214 vehicle without performing a physical inspection of the
215 motor vehicle. For vehicles two years old or newer from a
216 vehicle's model year, the assessor may use a value other
217 than the average without performing a physical inspection of
218 the motor vehicle. In the absence of a listing for a
219 particular motor vehicle in such publication, the assessor
220 shall use such information or publications which, in the
221 assessor's judgment, will fairly estimate the true value in
222 money of the motor vehicle.

223 (2) For all tax years beginning on or after January 1,
224 2025, the assessor shall apply the following depreciation

225 schedule to the trade-in value of the motor vehicle as
 226 determined pursuant to subdivision (1) of this subsection:

227	<u>Years since manufacture</u>	<u>Percent Depreciation</u>
228	<u>Current</u>	<u>15</u>
229	<u>1</u>	<u>25</u>
230	<u>2</u>	<u>32.5</u>
231	<u>3</u>	<u>39.3</u>
232	<u>4</u>	<u>45.3</u>
233	<u>5</u>	<u>50.8</u>
234	<u>6</u>	<u>55.7</u>
235	<u>7</u>	<u>60.1</u>
236	<u>8</u>	<u>64.1</u>
237	<u>9</u>	<u>67.7</u>
238	<u>10</u>	<u>71</u>
239	<u>11</u>	<u>75.2</u>
240	<u>12</u>	<u>79.2</u>
241	<u>13</u>	<u>83.2</u>
242	<u>14</u>	<u>87.2</u>
243	<u>15</u>	<u>90</u>
244	<u>Greater than 15</u>	<u>Minimum value of \$300</u>

245 Notwithstanding the provisions of this subdivision to the
 246 contrary, in no case shall the assessed value of a motor
 247 vehicle, as depreciated pursuant to this subdivision, be
 248 less than three hundred dollars.

249 (3) To implement the provisions of this subsection
 250 without large variations from the method in effect prior to
 251 January 1, 2024, the assessor shall assume that the last
 252 valuation tables used prior to October 1, 2024, are fair
 253 valuations and these valuations shall be depreciated from

254 the table provided in subdivision (2) of this subsection
255 until the end of their useful life. The state tax
256 commission shall secure an annual appropriation from the
257 general assembly for the publication used pursuant to
258 subdivision (1) of this subsection. The state tax
259 commission or the state of Missouri shall be the registered
260 user of the publication with rights to allow all assessors
261 access to the publication. The publication shall be
262 available to all assessors by December fifteenth of each
263 year.

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

270 11. If a physical inspection is required, pursuant to
271 subsection 10 of this section, the assessor shall notify the
272 property owner of that fact in writing and shall provide the
273 owner clear written notice of the owner's rights relating to
274 the physical inspection. If a physical inspection is
275 required, the property owner may request that an interior
276 inspection be performed during the physical inspection. The
277 owner shall have no less than thirty days to notify the
278 assessor of a request for an interior physical inspection.

279 12. A physical inspection, as required by subsection
280 10 of this section, shall include, but not be limited to, an
281 on-site personal observation and review of all exterior
282 portions of the land and any buildings and improvements to
283 which the inspector has or may reasonably and lawfully gain
284 external access, and shall include an observation and review
285 of the interior of any buildings or improvements on the
286 property upon the timely request of the owner pursuant to

287 subsection 11 of this section. Mere observation of the
288 property via a drive-by inspection or the like shall not be
289 considered sufficient to constitute a physical inspection as
290 required by this section.

291 13. A county or city collector may accept credit cards
292 as proper form of payment of outstanding property tax or
293 license due. No county or city collector may charge
294 surcharge for payment by credit card which exceeds the fee
295 or surcharge charged by the credit card bank, processor, or
296 issuer for its service. A county or city collector may
297 accept payment by electronic transfers of funds in payment
298 of any tax or license and charge the person making such
299 payment a fee equal to the fee charged the county by the
300 bank, processor, or issuer of such electronic payment.

301 14. Any county or city not within a county in this
302 state may, by an affirmative vote of the governing body of
303 such county, opt out of the provisions of this section and
304 sections 137.073, 138.060, and 138.100 as enacted by house
305 bill no. 1150 of the ninety-first general assembly, second
306 regular session and section 137.073 as modified by house
307 committee substitute for senate substitute for senate
308 committee substitute for senate bill no. 960, ninety-second
309 general assembly, second regular session, for the next year
310 of the general reassessment, prior to January first of any
311 year. No county or city not within a county shall exercise
312 this opt-out provision after implementing the provisions of
313 this section and sections 137.073, 138.060, and 138.100 as
314 enacted by house bill no. 1150 of the ninety-first general
315 assembly, second regular session and section 137.073 as
316 modified by house committee substitute for senate substitute
317 for senate committee substitute for senate bill no. 960,
318 ninety-second general assembly, second regular session, in a
319 year of general reassessment. For the purposes of applying

320 the provisions of this subsection, a political subdivision
321 contained within two or more counties where at least one of
322 such counties has opted out and at least one of such
323 counties has not opted out shall calculate a single tax rate
324 as in effect prior to the enactment of house bill no. 1150
325 of the ninety-first general assembly, second regular
326 session. A governing body of a city not within a county or
327 a county that has opted out under the provisions of this
328 subsection may choose to implement the provisions of this
329 section and sections 137.073, 138.060, and 138.100 as
330 enacted by house bill no. 1150 of the ninety-first general
331 assembly, second regular session, and section 137.073 as
332 modified by house committee substitute for senate substitute
333 for senate committee substitute for senate bill no. 960,
334 ninety-second general assembly, second regular session, for
335 the next year of general reassessment, by an affirmative
336 vote of the governing body prior to December thirty-first of
337 any year.

338 15. The governing body of any city of the third
339 classification with more than twenty-six thousand three
340 hundred but fewer than twenty-six thousand seven hundred
341 inhabitants located in any county that has exercised its
342 authority to opt out under subsection 14 of this section may
343 levy separate and differing tax rates for real and personal
344 property only if such city bills and collects its own
345 property taxes or satisfies the entire cost of the billing
346 and collection of such separate and differing tax rates.
347 Such separate and differing rates shall not exceed such
348 city's tax rate ceiling.

349 16. Any portion of real property that is available as
350 reserve for strip, surface, or coal mining for minerals for
351 purposes of excavation for future use or sale to others that
352 has not been bonded and permitted under chapter 444 shall be

353 assessed based upon how the real property is currently being
354 used. Any information provided to a county assessor, state
355 tax commission, state agency, or political subdivision
356 responsible for the administration of tax policies shall, in
357 the performance of its duties, make available all books,
358 records, and information requested, except such books,
359 records, and information as are by law declared confidential
360 in nature, including individually identifiable information
361 regarding a specific taxpayer or taxpayer's mine property.
362 For purposes of this subsection, "mine property" shall mean
363 all real property that is in use or readily available as a
364 reserve for strip, surface, or coal mining for minerals for
365 purposes of excavation for current or future use or sale to
366 others that has been bonded and permitted under chapter
367 444."; and

368 Further amend the title and enacting clause accordingly.