

SECOND REGULAR SESSION

SENATE COMMITTEE SUBSTITUTE FOR

**SENATE BILL NO. 756**

102ND GENERAL ASSEMBLY

3172S.06C

KRISTINA MARTIN, Secretary

**AN ACT**

To repeal section 137.1050, RSMo, and to enact in lieu thereof one new section relating to a property tax credit for certain seniors.

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

Section A. Section 137.1050, RSMo, is repealed and one  
2 new section enacted in lieu thereof, to be known as section  
3 137.1050, to read as follows:

137.1050. 1. For the purposes of this section, the  
2 following terms shall mean:

3 (1) "Eligible credit amount", the difference between  
4 an eligible taxpayer's real property tax liability on such  
5 taxpayer's homestead for a given tax year, minus the real  
6 property tax liability on such homestead in the [year that  
7 the taxpayer became an eligible taxpayer] **eligible**  
8 **taxpayer's initial credit year;**

9 (2) "Eligible taxpayer", a Missouri resident who:

10 (a) Is [eligible for Social Security retirement  
11 benefits] **sixty-two years of age or older;**

12 (b) Is an owner of record of a homestead or has a  
13 legal or equitable interest in such property as evidenced by  
14 a written instrument; [and]

15 (c) Is liable for the payment of real property taxes  
16 on such homestead; **and**

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

17           **(d) Does not owe any delinquent taxes, interest, or**  
18 **penalties to the county;**

19           (3) "Homestead", real property actually occupied by an  
20 eligible taxpayer as the primary residence. An eligible  
21 taxpayer shall not claim more than one primary residence;

22           **(4) "Initial credit year":**

23           **(a) In the case of a taxpayer that meets all**  
24 **requirements of subdivision (2) of this subsection prior to**  
25 **the year in which a credit is authorized pursuant to**  
26 **subsection 2 of this section, the year in which such credit**  
27 **is authorized;**

28           **(b) For all other taxpayers, the year in which the**  
29 **taxpayer meets all requirements of subdivision (2) of this**  
30 **subsection;**

31 **If in any tax year subsequent to the eligible taxpayer's**  
32 **initial credit year the eligible taxpayer's real property**  
33 **tax liability is lower than such liability in the initial**  
34 **credit year, such tax year shall be considered the eligible**  
35 **taxpayer's initial credit year for all subsequent tax years.**

36           2. **(1)** Any county authorized to impose a property tax  
37 may grant a property tax credit to eligible taxpayers  
38 residing in such county in an amount equal to the taxpayer's  
39 eligible credit amount, provided that:

40           **[(1)] (a)** Such county adopts an ordinance authorizing  
41 such credit; or

42           **[(2) (a)] (b) a.** A petition in support of a  
43 referendum on such a credit is signed by at least five  
44 percent of the registered voters of such county voting in  
45 the last gubernatorial election and the petition is  
46 delivered to the governing body of the county, which shall  
47 subsequently hold a referendum on such credit.

48 [(b)] b. The ballot of submission for the question  
49 submitted to the voters pursuant to paragraph (a) of this  
50 subdivision shall be in substantially the following form:

51 Shall the County of \_\_\_\_\_ exempt senior citizens  
52 **aged 62 and older** from increases in the property  
53 tax liability due on such senior citizens' primary  
54 residence?

55  YES  NO

56 If a majority of the votes cast on the proposal by the  
57 qualified voters voting thereon are in favor of the  
58 proposal, then the credit shall be in effect.

59 **(2) An ordinance adopted pursuant to paragraph (a) of**  
60 **subdivision (1) of this subsection shall not preclude such**  
61 **ordinance from being amended or superseded by a petition**  
62 **subsequently adopted pursuant to paragraph (b) of**  
63 **subdivision (1) of this subsection.**

64 3. A county granting an exemption pursuant to this  
65 section shall apply such exemption when calculating the  
66 eligible taxpayer's property tax liability for the tax  
67 year. The amount of the credit shall be noted on the  
68 statement of tax due sent to the eligible taxpayer by the  
69 county collector.

70 4. For the purposes of calculating property tax levies  
71 pursuant to section 137.073, the total amount of credits  
72 authorized by a county pursuant to this section shall be  
73 considered tax revenue, as such term is defined in section  
74 137.073, actually received [by the county].

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