

FIRST EXTRAORDINARY SESSION OF THE

FIRST REGULAR SESSION

SENATE JOINT RESOLUTION NO. 2

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

3308S.01I

KRISTINA MARTIN, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 4(b) 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
2 state of Missouri, on Tuesday next following the first Monday
3 in November, 2026, 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 4(b), article X, Constitution of
2 Missouri, is repealed and two new sections adopted in lieu
3 thereof, to be known as sections 4(b) and 4(e), to read as
4 follows:

Section 4(b). **1.** Property in classes 1 and 2 and
2 subclasses of those classes[**,**] shall be assessed for tax
3 purposes at its value or such percentage of its value as may
4 be fixed by law for each class and for each subclass.
5 Property in class 3 and its subclasses shall be taxed only
6 to the extent authorized and at the rate fixed by law for
7 each class and subclass, and the tax shall be based on the
8 annual yield and shall not exceed eight percent thereof.

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

Property in class 1 shall be subclassed in the following classifications:

- (1) Residential property;
- (2) Agricultural and horticultural property;
- (3) Utility, industrial, commercial, railroad, and all other property not included in subclasses (1) and (2) of class 1.

Property in the subclasses of class 1 may be defined by law, however subclasses (1), (2), and (3) shall not be further divided, provided, land in subclass (2) may by general law be assessed for tax purposes on its productive capability. The same percentage of value shall be applied to all properties within any subclass. No classes or subclass shall have a percentage of its true value in money in excess of thirty-three and one-third percent.

2. (1) As used in this subsection, the following terms shall mean:

(a) "Eligible credit amount", the difference between an eligible taxpayer's real property tax liability on such taxpayer's homestead for a given tax year, minus the real property tax liability on such homestead in the eligible taxpayer's initial credit year;

(b) "Eligible taxpayer", a Missouri resident who:
a. Is an owner of record of a homestead or has a legal or equitable interest in such property as evidenced by a written instrument; and

b. Is liable for the payment of real property taxes on such homestead;

(c) "Homestead", property in subclass (1) of class 1 that is actually occupied by an eligible taxpayer as the

taxpayer's primary residence. An eligible taxpayer shall not claim more than one primary residence;

(d) "Initial credit year", the year in which the taxpayer meets all requirements of paragraph (b) of this subdivision.

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

(2) Notwithstanding the provisions of subsection 1 of this section and section 3 of this article to the contrary, beginning January 1, 2027, an eligible taxpayer shall be allowed to claim a property tax credit in an amount equal to the taxpayer's eligible credit amount. The credit authorized by this subsection shall be applied by the county collector when calculating the eligible taxpayer's property tax liability for the tax year. The amount of the credit shall be noted on the statement of tax due sent to the eligible taxpayer by the county collector. The county governing body may adopt reasonable procedures in order to carry out the purposes and intent of this subsection, provided that the county shall not adopt any procedure that limits the definition or scope of eligible credit amount or eligible taxpayer as defined in this subsection.

(3) If an eligible taxpayer makes new construction and improvements to such eligible taxpayer's homestead, the real property tax liability for the taxpayer's initial credit year shall be increased to reflect the real property tax liability attributable to such new construction and improvements.

70 (4) If an eligible taxpayer's homestead is annexed
71 into a taxing jurisdiction to which such eligible taxpayer
72 did not owe real property tax in the eligible taxpayer's
73 initial credit year, then the real property tax liability
74 for the taxpayer's initial credit year shall be increased to
75 reflect the real property tax liability owed to the annexing
76 taxing jurisdiction.

77 (5) A county shall notify each political subdivision
78 within such county of the total credit amount applicable to
79 such political subdivision by no later than November
80 thirtieth of each year.

 Section 4(e). Notwithstanding any provision of this
2 article to the contrary, no taxes shall be imposed on any
3 unrealized gains accrued on any asset prior to the sale of
4 such asset.

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