

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NOS. 1066 & 1088
103RD GENERAL ASSEMBLY

4335H.05C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 137.016, 137.073, 137.079, 137.115, 137.1050, and 137.1055, RSMo, and section 163.021 as enacted by senate bill no. 727, one hundred second general assembly, second regular session, and to enact in lieu thereof eleven new sections relating to property taxation.

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

Section A. Sections 137.016, 137.073, 137.079, 137.115, 137.1050, and 137.1055, RSMo, and section 163.021 as enacted by senate bill no. 727, one hundred second general assembly, second regular session, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 67.496, 115.240, 115.706, 137.016, 137.039, 137.073, 137.079, 137.115, 137.1050, 137.1055, and 163.021, to read as follows:

67.496. Notwithstanding any other provision of law to the contrary, no political subdivision or election authority shall advertise or describe any proposed tax on property in a political subdivision as not increasing taxes, or any language to that effect, unless both:

(1) Failing to adopt the proposed measure would cause an actual increase in the tax rate; and

(2) Adopting the proposed measure would cause the tax rate to stay the same or decrease.

115.240. The election authority for any political subdivision or special district shall label ballot measures relating to property taxation that are submitted by such political subdivision or special district to a vote of the people numerically or

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

4 **alphabetically only. No such ballot measure shall be labeled in a descriptive manner**
5 **aside from its numerical or alphabetical designation.**

6 **115.706. 1. Notwithstanding any other provision of law to the contrary, no ballot**
7 **measure proposing the imposition, increase, or extension of an ad valorem property tax**
8 **by a political subdivision shall be deemed approved unless a majority of the votes cast**
9 **on the question are in favor.**

10 **2. Notwithstanding any other provision of law to the contrary, beginning on**
11 **January 1, 2027, the ballot language for a question submitted to voters by a political**
12 **subdivision desiring to levy a real property tax or personal property tax shall include at**
13 **least the following elements, as applicable:**

14 **(1) The name of the political subdivision imposing the property tax;**

15 **(2) The real property or personal property on which the property tax will be**
16 **imposed;**

17 **(3) The current tax rate ceiling, the proposed tax rate ceiling, and, if the political**
18 **subdivision is seeking authorization to increase an existing tax, the difference between**
19 **the proposed new tax rate ceiling and the current tax rate ceiling, expressed in**
20 **percentage changed and the number of cents per one hundred dollars of assessed**
21 **valuation. The percentage change shall be calculated by subtracting the current tax rate**
22 **ceiling from the proposed tax rate ceiling, dividing the result by the current tax rate**
23 **ceiling, and multiplying the quotient by one hundred;**

24 **(4) The length of time for which the tax will be imposed or the expiration date of**
25 **the tax;**

26 **(5) The purpose for which the tax will be imposed;**

27 **(6) A description of additional actions a political subdivision affected by the**
28 **ballot issue will be required to take;**

29 **(7) If the political subdivision is seeking authorization to issue bonds, notes, or**
30 **other obligations:**

31 **(a) An indication that bonds, notes, or other obligations will be issued if the**
32 **proposal is approved;**

33 **(b) The kind of bonds, notes, or other obligations that will be issued including,**
34 **but not limited to, general obligation bonds or revenue bonds; and**

35 **(c) The total amount of such bonds, notes, or other obligations;**

(8) A disclosure that an increase to a tax rate ceiling could result in a tax rate
increase;

(9) A statement indicating the real property or personal property that will be
affected by such tax or tax rate ceiling increase, containing wording substantially
similar to the following, as applicable:

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"If approved, this proposition could increase the property taxes of:
A residential property _____ (insert levy amount multiplied by 100,000 multiplied by 0.0019) per \$100,000 of appraised valuation;
A commercial property _____ (insert levy amount multiplied by 100,000 multiplied by 0.0032) per \$100,000 of appraised valuation;
An agricultural property _____ (insert levy amount multiplied by 100,000 multiplied by 0.0012) per \$100,000 of appraised valuation;
A motor vehicle _____ (insert levy amount multiplied by 10,000 multiplied by 0.00333) per \$10,000 of appraised valuation."

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- 3. Notwithstanding any other provision of law to the contrary, no political subdivision or election authority shall advertise or describe any proposed tax on property in a political subdivision as not increasing taxes, or any language to that effect, unless both:**
- (1) Failing to adopt the proposed measure would cause an actual increase in the tax rate; and**
 - (2) Adopting the proposed measure would cause the tax rate to stay the same or decrease.**
- 4. The ballot language statements shall fairly and accurately explain what a vote for and what a vote against the measure represent. The ballot language shall be true and impartial statements of the effect of a vote for and against the measure in language neither intentionally argumentative nor likely to create prejudice for or against the proposed measure.**

137.016. 1.
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1. As used in Section 4(b) of Article X of the Missouri Constitution, the following terms mean:

- (1) "Residential property"[5]:
 - (a) All real property improved by a structure which is used or intended to be used for residential living by human occupants[5];
 - (b) Vacant land in connection with an airport[5];
 - (c) Land used as a golf course[5];
 - (d) Manufactured home parks[5];
 - (e) Bed and breakfast inns in which the owner resides and uses as a primary residence with six or fewer rooms for rent[5]and[5];

11 (f) Time-share units as defined in section 407.600, except to the extent such units are
12 actually rented and subject to sales tax under subdivision (6) of subsection 1 of section
13 144.020~~[-but]~~; and

14 (g) Any single family home owned by an individual or business that is leased for
15 a term of less than thirty consecutive days, in whole or in part, subject to sales tax under
16 subdivision (6) of subsection 1 of section 144.020, provided that the provisions of this
17 paragraph may not apply to such properties in excess of fifteen such properties owned
18 by the same individual or business. For the purposes of this paragraph, the term
19 "business" shall mean a sole proprietor, partnership, or limited liability company. For
20 the purposes of this paragraph for determining the number of single family homes
21 leased for a term of less than thirty consecutive days, in whole or in part, subject to sales
22 tax under subdivision (6) of subsection 1 of section 144.020 owned by an individual or
23 business, all single family homes that are such properties owned by the individual or
24 business, or owned by any business entity in which such individual or business holds any
25 ownership, membership, or beneficial interest, direct or indirect, shall be counted. The
26 provisions of this paragraph shall not be construed to authorize the classification of any
27 real property owned by a corporation as residential property;

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29 Residential property shall not include other similar facilities used primarily for transient
30 housing. For the purposes of this section, "transient housing" means all rooms available for
31 rent or lease for which the receipts from the rent or lease of such rooms are subject to state
32 sales tax pursuant to subdivision (6) of subsection 1 of section 144.020; **the leasing of a
33 single family home, in whole or in part, for a term of less than thirty consecutive days
34 does not, in itself, constitute "transient housing";**

35 (2) "Agricultural and horticultural property", all real property used for agricultural
36 purposes and devoted primarily to the raising and harvesting of crops; to the feeding,
37 breeding and management of livestock which shall include breeding, showing, and boarding
38 of horses; to dairying, or to any other combination thereof; and buildings and structures
39 customarily associated with farming, agricultural, and horticultural uses. Agricultural and
40 horticultural property shall also include land devoted to and qualifying for payments or other
41 compensation under a soil conservation or agricultural assistance program under an
42 agreement with an agency of the federal government. Agricultural and horticultural property
43 shall further include any reliever airport. Real property classified as forest croplands shall not
44 be agricultural or horticultural property so long as it is classified as forest croplands and shall
45 be taxed in accordance with the laws enacted to implement Section 7 of Article X of the
46 Missouri Constitution. Agricultural and horticultural property shall also include any sawmill
47 or planing mill defined in the U.S. Department of Labor's Standard Industrial Classification

48 (SIC) Manual under Industry Group 242 with the SIC number 2421. Agricultural and
49 horticultural property shall also include urban and community gardens. For the purposes of
50 this section, "urban and community gardens" shall include real property cultivated by
51 residents of a neighborhood or community for the purposes of providing agricultural
52 products, as defined in section 262.900, for the use of residents of the neighborhood or
53 community, and shall not include a garden intended for individual or personal use;

54 (3) "Utility, industrial, commercial, railroad and other real property", all real property
55 used directly or indirectly for any commercial, mining, industrial, manufacturing, trade,
56 professional, business, or similar purpose, including all property centrally assessed by the
57 state tax commission but shall not include floating docks, portions of which are separately
58 owned and the remainder of which is designated for common ownership and in which no one
59 person or business entity owns more than five individual units. All other real property not
60 included in the property listed in subclasses (1) and (2) of Section 4(b) of Article X of the
61 Missouri Constitution, as such property is defined in this section, shall be deemed to be
62 included in the term "utility, industrial, commercial, railroad and other real property".

63 2. Pursuant to Article X of the state Constitution, any taxing district may adjust its
64 operating levy to recoup any loss of property tax revenue, except revenues from the surtax
65 imposed pursuant to Article X, Subsection 2 of Section 6 of the Constitution, as the result of
66 changing the classification of structures intended to be used for residential living by human
67 occupants which contain five or more dwelling units if such adjustment of the levy does not
68 exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this
69 section, loss in revenue shall include the difference between the revenue that would have been
70 collected on such property under its classification prior to enactment of this section and the
71 amount to be collected under its classification under this section. The county assessor of each
72 county or city not within a county shall provide information to each taxing district within its
73 boundaries regarding the difference in assessed valuation of such property as the result of
74 such change in classification.

75 3. All reclassification of property as the result of changing the classification of
76 structures intended to be used for residential living by human occupants which contain five or
77 more dwelling units shall apply to assessments made after December 31, 1994.

78 4. Where real property is used or held for use for more than one purpose and such
79 uses result in different classifications, the county assessor shall allocate to each classification
80 the percentage of the true value in money of the property devoted to each use; except that,
81 where agricultural and horticultural property, as defined in this section, also contains a
82 dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to
83 five acres immediately surrounding such farm dwelling shall be residential property, as
84 defined in this section, provided that the portion of property used or held for use as an urban

85 and community garden shall not be residential property. This subsection shall not apply to
86 any reliever airport.

87 5. All real property which is vacant, unused, or held for future use; which is used for a
88 private club, a not-for-profit or other nonexempt lodge, club, business, trade, service
89 organization, or similar entity; or for which a determination as to its classification cannot be
90 made under the definitions set out in subsection 1 of this section, shall be classified according
91 to its immediate most suitable economic use, which use shall be determined after
92 consideration of:

93 (1) Immediate prior use, if any, of such property;

94 (2) Location of such property;

95 (3) Zoning classification of such property; except that, such zoning classification
96 shall not be considered conclusive if, upon consideration of all factors, it is determined that
97 such zoning classification does not reflect the immediate most suitable economic use of the
98 property;

99 (4) Other legal restrictions on the use of such property;

100 (5) Availability of water, electricity, gas, sewers, street lighting, and other public
101 services for such property;

102 (6) Size of such property;

103 (7) Access of such property to public thoroughfares; and

104 (8) Any other factors relevant to a determination of the immediate most suitable
105 economic use of such property.

106 6. All lands classified as forest croplands shall not, for taxation purposes, be
107 classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are
108 prescribed in Section 4(b) of Article X of the Missouri Constitution and defined in this
109 section, but shall be taxed in accordance with the laws enacted to implement Section 7 of
110 Article X of the Missouri Constitution.

**137.039. 1. As used in this section, "additional tax abatement revenues" means
2 revenues derived from higher tax levies on real property inside a political subdivision
3 that has adopted any tax abatement or similar economic incentive authorized under
4 general law but outside an area subject to tax abatement within the political subdivision.**

**5 2. Beginning on January first of the calendar year immediately following the
6 effective date of this section, each political subdivision that adopts or has adopted any
7 tax abatement or similar economic incentive authorized under state law shall decrease
8 the levy of real property tax rates levied under state law to reduce the amount of tax
9 revenues such political subdivision received from additional tax abatement revenues.**

137.073. 1. As used in this section, the following terms mean:

2 (1) "General reassessment", changes in value, entered in the assessor's books, of a
3 substantial portion of the parcels of real property within a county resulting wholly or partly
4 from reappraisal of value or other actions of the assessor or county equalization body or
5 ordered by the state tax commission or any court;

6 (2) "Tax rate", "rate", or "rate of levy", singular or plural, includes the tax rate for
7 each purpose of taxation of property a taxing authority is authorized to levy without a vote
8 and any tax rate authorized by election, including bond interest and sinking fund;

9 (3) "Tax rate ceiling", a tax rate as revised by the taxing authority to comply with the
10 provisions of this section or when a court has determined the tax rate; except that, other
11 provisions of law to the contrary notwithstanding, a school district may levy the operating
12 levy for school purposes required for the current year pursuant to subsection 2 of section
13 163.021, less all adjustments required pursuant to Article X, Section 22 of the Missouri
14 Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the
15 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate
16 ceiling is approved by voters of the political subdivision as provided in this section;

17 (4) "Tax revenue", when referring to the previous year, means the actual receipts from
18 ad valorem levies on all classes of property, including state-assessed property, in the
19 immediately preceding fiscal year of the political subdivision, plus an allowance for taxes
20 billed but not collected in the fiscal year and plus an additional allowance for the revenue
21 which would have been collected from property which was annexed by such political
22 subdivision but which was not previously used in determining tax revenue pursuant to this
23 section. The term "tax revenue" shall not include any receipts from ad valorem levies on any
24 property of a railroad corporation or a public utility, as these terms are defined in section
25 386.020, which were assessed by the assessor of a county or city in the previous year but are
26 assessed by the state tax commission in the current year. All school districts and those
27 counties levying sales taxes pursuant to chapter 67 shall include in the calculation of tax
28 revenue an amount equivalent to that by which they reduced property tax levies as a result of
29 sales tax pursuant to section 67.505 and section 164.013 ~~[or as excess home dock city or~~
30 ~~county fees as provided in subsection 4 of section 313.820]~~ in the immediately preceding
31 fiscal year but not including any amount calculated to adjust for prior years. For purposes of
32 political subdivisions which were authorized to levy a tax in the prior year but which did not
33 levy such tax or levied a reduced rate, the term "tax revenue", as used in relation to the
34 revision of tax levies mandated by law, shall mean the revenues equal to the amount that
35 would have been available if the voluntary rate reduction had not been made.

36 2. (1) Whenever changes in assessed valuation are entered in the assessor's books for
37 any personal property, in the aggregate, or for any subclass of real property as such subclasses
38 are established in Section 4(b) of Article X of the Missouri Constitution and defined in

39 section 137.016, the county clerk in all counties and the assessor of St. Louis City shall notify
40 each political subdivision wholly or partially within the county or St. Louis City of the change
41 in valuation of each subclass of real property, individually, and personal property, in the
42 aggregate, exclusive of new construction and improvements. All political subdivisions shall
43 immediately revise the applicable rates of levy for each purpose for each subclass of real
44 property, individually, and personal property, in the aggregate, for which taxes are levied to
45 the extent necessary to produce from all taxable property, exclusive of new construction and
46 improvements, substantially the same amount of tax revenue as was produced in the previous
47 year for each subclass of real property, individually, and personal property, in the aggregate,
48 except that the rate shall not exceed the greater of the most recent voter-approved rate or the
49 most recent voter-approved rate as adjusted under subdivision (2) of subsection 5 of this
50 section.

51 (2) Any political subdivision that has received approval from voters for a tax increase
52 after August 27, 2008, may levy a rate to collect substantially the same amount of tax revenue
53 as the amount of revenue that would have been derived by applying the voter-approved
54 increased tax rate ceiling to the total assessed valuation of the political subdivision as most
55 recently certified by the city or county clerk on or before the date of the election in which
56 such increase is approved, increased by the percentage increase in the consumer price index,
57 as provided by law, except that the ~~[rate]~~ **rates of levy for each subclass of real property,
58 individually, and personal property, in the aggregate**, shall not exceed the greater of the
59 most recent voter-approved rate or the most recent voter-approved rate as adjusted under
60 subdivision (2) of subsection 5 of this section. Such tax revenue shall not include any receipts
61 from ad valorem levies on any real property which was assessed by the assessor of a county
62 or city in such previous year but is assessed by the assessor of a county or city in the current
63 year in a different subclass of real property.

64 (3) Where the taxing authority is a school district for the purposes of revising the
65 applicable rates of levy for each subclass of real property, the tax revenues from state-
66 assessed railroad and utility property shall be apportioned and attributed to each subclass of
67 real property based on the percentage of the total assessed valuation of the county that each
68 subclass of real property represents in the current ~~[taxable]~~ **tax** year.

69 (4) As provided in Section 22 of Article X of the constitution, a political subdivision
70 may also revise each levy to allow for inflationary assessment growth occurring within the
71 political subdivision. The inflationary growth factor for any such subclass of real property or
72 personal property shall be limited to the actual assessment growth in such subclass or class,
73 exclusive of new construction and improvements, and exclusive of the assessed value on any
74 real property which was assessed by the assessor of a county or city in the current year in a
75 different subclass of real property, but not to exceed the consumer price index or five percent,

76 whichever is lower. ~~[Should the tax revenue of a political subdivision from the various tax~~
77 ~~rates determined in this subsection be different than the tax revenue that would have been~~
78 ~~determined from a single tax rate as calculated pursuant to the method of calculation in this~~
79 ~~subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of~~
80 ~~those subclasses of real property, individually, and/or personal property, in the aggregate, in~~
81 ~~which there is a tax rate reduction, pursuant to the provisions of this subsection. Such~~
82 ~~revision shall yield an amount equal to such difference and shall be apportioned among such~~
83 ~~subclasses of real property, individually, and/or personal property, in the aggregate, based on~~
84 ~~the relative assessed valuation of the class or subclasses of property experiencing a tax rate~~
85 ~~reduction. Such revision in the tax rates of each class or subclass shall be made by computing~~
86 ~~the percentage of current year adjusted assessed valuation of each class or subclass with a tax~~
87 ~~rate reduction to the total current year adjusted assessed valuation of the class or subclasses~~
88 ~~with a tax rate reduction, multiplying the resulting percentages by the revenue difference~~
89 ~~between the single rate calculation and the calculations pursuant to this subsection and~~
90 ~~dividing by the respective adjusted current year assessed valuation of each class or subclass to~~
91 ~~determine the adjustment to the rate to be levied upon each class or subclass of property. The~~
92 ~~adjustment computed herein shall be multiplied by one hundred, rounded to four decimals in~~
93 ~~the manner provided in this subsection, and added to the initial rate computed for each class~~
94 ~~or subclass of property. For school districts that levy separate tax rates on each subclass of~~
95 ~~real property and personal property in the aggregate, if voters approved a ballot before~~
96 ~~January 1, 2011, that presented separate stated tax rates to be applied to the different~~
97 ~~subclasses of real property and personal property in the aggregate, or increases the separate~~
98 ~~rates that may be levied on the different subclasses of real property and personal property in~~
99 ~~the aggregate by different amounts, the tax rate that shall be used for the single tax rate~~
100 ~~calculation shall be a blended rate, calculated in the manner provided under subdivision (1) of~~
101 ~~subsection 6 of this section.]~~

102 (5) Notwithstanding any provision of this subsection to the contrary, no revision to
103 the rate of levy for personal property shall cause such levy to increase over the levy for
104 personal property from the prior year.

105 3. (1) Where the taxing authority is a school district, it shall be required to revise the
106 rates of levy to the extent necessary to produce from all taxable property, including state-
107 assessed railroad and utility property, which shall be separately estimated in addition to other
108 data required in complying with section 164.011, substantially the amount of tax revenue
109 permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be
110 adjusted to offset such district's reduction in the apportionment of state school moneys due to
111 its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling
112 pursuant to this section, requiring the estimating of effects of state-assessed railroad and

113 utility valuation or loss of state aid, discovers that the estimates used result in receipt of
114 excess revenues, which would have required a lower rate if the actual information had been
115 known, the school district shall reduce the tax rate ceiling in the following year to compensate
116 for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes
117 of this section.

118 (2) For any political subdivision which experiences a reduction in the amount of
119 assessed valuation relating to a prior year, due to decisions of the state tax commission or a
120 court pursuant to sections 138.430 to 138.433, or due to clerical errors or corrections in the
121 calculation or recordation of any assessed valuation:

122 (a) Such political subdivision may revise the tax rate ceiling for each purpose it levies
123 taxes to compensate for the reduction in assessed value occurring after the political
124 subdivision calculated the tax rate ceiling for the particular subclass of real property or for
125 personal property, in the aggregate, in a prior year. Such revision by the political subdivision
126 shall be made at the time of the next calculation of the tax rate for the particular subclass of
127 real property or for personal property, in the aggregate, after the reduction in assessed
128 valuation has been determined and shall be calculated in a manner that results in the revised
129 tax rate ceiling being the same as it would have been had the corrected or finalized assessment
130 been available at the time of the prior calculation;

131 (b) In addition, for up to three years following the determination of the reduction in
132 assessed valuation as a result of circumstances defined in this subdivision, such political
133 subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate
134 ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to
135 receive had the corrected or finalized assessment been available at the time of the prior
136 calculation.

137 4. (1) In order to implement the provisions of this section and Section 22 of Article X
138 of the Constitution of Missouri, the term improvements shall apply to both real and personal
139 property. In order to determine the value of new construction and improvements, each county
140 assessor shall maintain a record of real property valuations in such a manner as to identify
141 each year the increase in valuation for each political subdivision in the county as a result of
142 new construction and improvements. The value of new construction and improvements shall
143 include the additional assessed value of all improvements or additions to real property which
144 were begun after and were not part of the prior year's assessment, except that the additional
145 assessed value of all improvements or additions to real property which had been totally or
146 partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, sections
147 135.200 to 135.255, and section 353.110 shall be included in the value of new construction
148 and improvements when the property becomes totally or partially subject to assessment and
149 payment of all ad valorem taxes. The aggregate increase in valuation of personal property for

150 the current year over that of the previous year is the equivalent of the new construction and
151 improvements factor for personal property. ~~[Notwithstanding any opt-out implemented~~
152 ~~pursuant to subsection 14 of section 137.115,]~~ The assessor shall certify the amount of new
153 construction and improvements and the amount of assessed value on any real property which
154 was assessed by the assessor of a county or city in such previous year but is assessed by the
155 assessor of a county or city in the current year in a different subclass of real property
156 separately for each of the three subclasses of real property for each political subdivision to the
157 county clerk in order that political subdivisions shall have this information for the purpose of
158 calculating tax rates pursuant to this section and Section 22, Article X, Constitution of
159 Missouri. In addition, the state tax commission shall certify each year to each county clerk
160 the increase in the general price level as measured by the Consumer Price Index for All Urban
161 Consumers for the United States, or its successor publications, as defined and officially
162 reported by the United States Department of Labor, or its successor agency. The state tax
163 commission shall certify the increase in such index on the latest twelve-month basis available
164 on February first of each year over the immediately preceding prior twelve-month period in
165 order that political subdivisions shall have this information available in setting their tax rates
166 according to law and Section 22 of Article X of the Constitution of Missouri. For purposes of
167 implementing the provisions of this section and Section 22 of Article X of the Missouri
168 Constitution, the term "property" means all taxable property, including state-assessed
169 property.

170 (2) Each political subdivision required to revise rates of levy pursuant to this section
171 or Section 22 of Article X of the Constitution of Missouri shall calculate each tax rate it is
172 authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate
173 revision provided in this section and Section 22 of Article X of the Constitution of Missouri,
174 separately and without regard to annual tax rate reductions provided in section 67.505 and
175 section 164.013. Each political subdivision shall set each tax rate it is authorized to levy
176 using the calculation that produces the lowest tax rate ceiling. It is further the intent of the
177 general assembly, pursuant to the authority of Section 10(c) of Article X of the Constitution
178 of Missouri, that the provisions of such section be applicable to tax rate revisions mandated
179 pursuant to Section 22 of Article X of the Constitution of Missouri as to reestablishing tax
180 rates as revised in subsequent years, enforcement provisions, and other provisions not in
181 conflict with Section 22 of Article X of the Constitution of Missouri. Annual tax rate
182 reductions provided in section 67.505 and section 164.013 shall be applied to the tax rate as
183 established pursuant to this section and Section 22 of Article X of the Constitution of
184 Missouri, unless otherwise provided by law.

185 5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this
186 section shall not be increased unless approved by a vote of the people. Approval of the higher

187 tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires
188 approval by more than a simple majority pursuant to any provision of law or the constitution,
189 the tax rate increase must receive approval by at least the majority required.

190 (2) When voters approve an increase in the tax rate, the amount of the increase shall
191 be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate
192 does not exceed any maximum rate prescribed by law. If a ballot question presents a stated
193 tax rate for approval rather than describing the amount of increase in the question, the stated
194 tax rate approved shall be adjusted as provided in this section and, so adjusted, shall be the
195 current tax rate ceiling. The increased tax rate ceiling as approved shall be adjusted such that,
196 when applied to the current total assessed valuation of the political subdivision, excluding
197 new construction and improvements since the date of the election approving such increase,
198 the revenue derived from the adjusted tax rate ceiling is equal to the sum of: the amount of
199 revenue which would have been derived by applying the voter-approved increased tax rate
200 ceiling to total assessed valuation of the political subdivision, as most recently certified by the
201 city or county clerk on or before the date of the election in which such increase is approved,
202 increased by the percentage increase in the consumer price index, as provided by law. Such
203 adjusted tax rate ceiling may be applied to the total assessed valuation of the political
204 subdivision at the setting of the next tax rate. If a ballot question presents a phased-in tax rate
205 increase, upon voter approval, each tax rate increase shall be adjusted in the manner
206 prescribed in this section to yield the sum of: the amount of revenue that would be derived by
207 applying such voter-approved increased rate to the total assessed valuation, as most recently
208 certified by the city or county clerk on or before the date of the election in which such
209 increase was approved, increased by the percentage increase in the consumer price index, as
210 provided by law, from the date of the election to the time of such increase and, so adjusted,
211 shall be the current tax rate ceiling.

212 (3) **The provisions of subdivision (2) of this subsection notwithstanding, if prior**
213 **to the expiration of a temporary levy increase voters approve a subsequent levy**
214 **increase, the new tax rate ceiling shall remain in effect only until such time as the**
215 **temporary levy expires under the terms originally approved by a vote of the people, at**
216 **which time the tax rate ceiling shall be decreased by the amount of the temporary levy**
217 **increase. If prior to the expiration of a temporary levy increase voters of a political**
218 **subdivision are asked to approve an additional, permanent increase to the political**
219 **subdivision's tax rate ceiling, voters shall be submitted ballot language that clearly**
220 **indicates that if the permanent levy increase is approved, the temporary levy shall be**
221 **made permanent.**

222 (4) The governing body of any political subdivision may levy a tax rate lower than its
223 tax rate ceiling and may, in a nonreassessment year, increase that lowered tax rate to a level

224 not exceeding the tax rate ceiling without voter approval in the manner provided under
225 subdivision ~~[(4)]~~ (5) of this subsection. Nothing in this section shall be construed as
226 prohibiting a political subdivision from voluntarily levying a tax rate lower than that which is
227 required under the provisions of this section or from seeking voter approval of a reduction to
228 such political subdivision's tax rate ceiling.

229 ~~[(4)]~~ (5) In a year of general reassessment, a governing body whose tax rate is lower
230 than its tax rate ceiling shall revise its tax rate pursuant to the provisions of subsection 4 of
231 this section as if its tax rate was at the tax rate ceiling. In a year following general
232 reassessment, if such governing body intends to increase its tax rate, the governing body shall
233 conduct a public hearing, and in a public meeting it shall adopt an ordinance, resolution, or
234 policy statement justifying its action prior to setting and certifying its tax rate. The provisions
235 of this subdivision shall not apply to any political subdivision which levies a tax rate lower
236 than its tax rate ceiling solely due to a reduction required by law resulting from sales tax
237 collections. The provisions of this subdivision shall not apply to any political subdivision
238 which has received voter approval for an increase to its tax rate ceiling subsequent to setting
239 its most recent tax rate.

240 (6) (a) As used in this subdivision, the following terms mean:

241 a. "Current tax rate ceiling", the tax rate ceiling in effect before the voters
242 approve a higher tax rate;

243 b. "Increased tax rate ceiling", the new tax rate ceiling in effect after the voters
244 approve a higher tax rate.

245 (b) Notwithstanding any other provision of law to the contrary, when the
246 required majority of voters in a political subdivision passes an increase in the political
247 subdivision's tax rate, the political subdivision shall use the current tax rate ceiling and
248 the increase approved by the voters in establishing the rates of levy for the tax year
249 immediately following the election.

250 (c) If the assessed valuation of real property in such political subdivision is
251 reduced in such tax year immediately following the election, such political subdivision
252 may raise its rates of levy so that the revenue received from its local real property tax
253 rates equals the amount the political subdivision would have received from the increased
254 rates of levy had there been no reduction in the assessed valuation of real property in the
255 political subdivision.

256 (d) Using the increased tax rate ceiling shall be revenue neutral as required in
257 Article X, Section 22 of the Constitution of Missouri.

258 6. (1) For the purposes of calculating state aid for public schools pursuant to section
259 163.031, each taxing authority which is a school district shall determine its proposed tax rate
260 as a blended rate of the classes or subclasses of property. Such blended rate shall be

261 calculated by first determining the total tax revenue of the property within the jurisdiction of
262 the taxing authority, which amount shall be equal to the sum of the products of multiplying
263 the assessed valuation of each class and subclass of property by the corresponding tax rate for
264 such class or subclass, then dividing the total tax revenue by the total assessed valuation of
265 the same jurisdiction, and then multiplying the resulting quotient by a factor of one hundred.
266 Where the taxing authority is a school district, such blended rate shall also be used by such
267 school district for calculating revenue from state-assessed railroad and utility property as
268 defined in chapter 151 and for apportioning the tax rate by purpose.

269 (2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk
270 of the county commission in the county or counties where the tax rate applies of its tax rate
271 ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a
272 fraction equal to the nearest one-tenth of a cent, unless its proposed tax rate is in excess of one
273 dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-
274 hundredth of a cent, it shall round up a fraction greater than or equal to five/one-thousandth of
275 one cent to the next higher one/one-hundredth of a cent; if a taxing authority shall round to
276 one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of
277 a cent to the next higher one-tenth of a cent. Any taxing authority levying a property tax rate
278 shall provide data, in such form as shall be prescribed by the state auditor by rule,
279 substantiating such tax rate complies with Missouri law. All forms for the calculation of rates
280 pursuant to this section shall be promulgated as a rule and shall not be incorporated by
281 reference. The state auditor shall promulgate rules for any and all forms for the calculation of
282 rates pursuant to this section which do not currently exist in rule form or that have been
283 incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for
284 debt service shall provide data, in such form as shall be prescribed by the state auditor by rule,
285 substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed
286 for annual debt service requirements will be prima facie valid if, after making the payment for
287 which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed
288 the following year's payments. The county clerk shall keep on file and available for public
289 inspection all such information for a period of three years. The clerk shall, within three days
290 of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed
291 tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen
292 days of the date of receipt, examine such information and return to the county clerk his or her
293 findings as to compliance of the tax rate ceiling with this section and as to compliance of any
294 proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing
295 authority's proposed tax rate does not comply with Missouri law, then the state auditor's
296 findings shall include a recalculated tax rate, and the state auditor may request a taxing
297 authority to submit documentation supporting such taxing authority's proposed tax rate. The

298 county clerk shall immediately forward a copy of the auditor's findings to the taxing authority
299 and shall file a copy of the findings with the information received from the taxing authority.
300 The taxing authority shall have fifteen days from the date of receipt from the county clerk of
301 the state auditor's findings and any request for supporting documentation to accept or reject in
302 writing the rate change certified by the state auditor and to submit all requested information to
303 the state auditor. A copy of the taxing authority's acceptance or rejection and any information
304 submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority
305 rejects a rate change certified by the state auditor and the state auditor does not receive
306 supporting information which justifies the taxing authority's original or any subsequent
307 proposed tax rate, then the state auditor shall refer the perceived violations of such taxing
308 authority to the attorney general's office and the attorney general is authorized to obtain
309 injunctive relief to prevent the taxing authority from levying a violative tax rate.

310 (3) In the event that the taxing authority incorrectly completes the forms created and
311 promulgated under subdivision (2) of this subsection, or makes a clerical error, the taxing
312 authority may submit amended forms with an explanation for the needed changes. If such
313 amended forms are filed under regulations prescribed by the state auditor, the state auditor
314 shall take into consideration such amended forms for the purposes of this subsection.

315 7. No tax rate shall be extended on the tax rolls by the county clerk unless the political
316 subdivision has complied with the foregoing provisions of this section.

317 8. Whenever a taxpayer has cause to believe that a taxing authority has not complied
318 with the provisions of this section, the taxpayer may make a formal complaint with the
319 prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action
320 within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to
321 this section and institute an action as representative of a class of all taxpayers within a taxing
322 authority if the class is so numerous that joinder of all members is impracticable, if there are
323 questions of law or fact common to the class, if the claims or defenses of the representative
324 parties are typical of the claims or defenses of the class, and if the representative parties will
325 fairly and adequately protect the interests of the class. In any class action maintained
326 pursuant to this section, the court may direct to the members of the class a notice to be
327 published at least once each week for four consecutive weeks in a newspaper of general
328 circulation published in the county where the civil action is commenced and in other counties
329 within the jurisdiction of a taxing authority. The notice shall advise each member that the
330 court will exclude him or her from the class if he or she so requests by a specified date, that
331 the judgment, whether favorable or not, will include all members who do not request
332 exclusion, and that any member who does not request exclusion may, if he or she desires,
333 enter an appearance. In any class action brought pursuant to this section, the court, in
334 addition to the relief requested, shall assess against the taxing authority found to be in

335 violation of this section the reasonable costs of bringing the action, including reasonable
336 attorney's fees, provided no attorney's fees shall be awarded any attorney or association of
337 attorneys who receive public funds from any source for their services. Any action brought
338 pursuant to this section shall be set for hearing as soon as practicable after the cause is at
339 issue.

340 9. If in any action, including a class action, the court issues an order requiring a taxing
341 authority to revise the tax rates as provided in this section or enjoins a taxing authority from
342 the collection of a tax because of its failure to revise the rate of levy as provided in this
343 section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously
344 paid his or her taxes in part, whether or not the taxes are paid under protest as provided in
345 section 139.031 or otherwise contested. The part of the taxes paid erroneously is the
346 difference in the amount produced by the original levy and the amount produced by the
347 revised levy. The township or county collector of taxes or the collector of taxes in any city
348 shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise
349 the rate of levy as provided in this section shall make available to the collector all funds
350 necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest
351 on any money erroneously paid by him or her pursuant to this subsection. Effective in the
352 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund
353 any tax erroneously paid prior to or during the third tax year preceding the current tax year.

354 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is
355 created under the authority delegated in this section shall become effective only if it complies
356 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
357 This section and chapter 536 are nonseverable and if any of the powers vested with the
358 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
359 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
360 rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid
361 and void.

137.079. Prior to setting its ~~[rate or]~~ rates as required by section 137.073, each taxing
2 authority shall exclude from its total assessed valuation seventy-two percent of the total
3 amount of assessed value of business personal property that is the subject of an appeal at the
4 state tax commission or in a court of competent jurisdiction in this state. This exclusion shall
5 only apply to the portion of the assessed value of business personal property that is disputed
6 in the appeal, and shall not exclude any portion of the same property that is not disputed. ~~[If~~
7 ~~the taxing authority uses a multirate approach]~~ **For the purpose of setting rates** as provided
8 in section 137.073, this exclusion shall be made from the personal property class. The state
9 tax commission shall provide each taxing authority with the total assessed value of business
10 personal property within the jurisdiction of such taxing authority for which an appeal is

11 pending no later than August twentieth of each year. Whenever any appeal is resolved,
12 whether by final adjudication or settlement, and the result of the appeal causes money to be
13 paid to the taxing authority, the taxing authority shall not be required to make an additional
14 adjustment to its rate or rates due to such payment once the deadline for setting its rates, as
15 provided by this chapter, has passed in a ~~taxable~~ tax year, but shall adjust its rate or rates
16 due to such payment in the next rate setting cycle to offset the payment in the next ~~taxable~~
17 tax year. For the purposes of this section, the term "business personal property" means
18 tangible personal property which is used in a trade or business or used for production of
19 income and which has a determinable life of longer than one year except that supplies used by
20 a business shall also be considered business personal property, but shall not include livestock,
21 farm machinery, property subject to the motor vehicle registration provisions of chapter 301,
22 property subject to the tables provided in section 137.078, the property of rural electric
23 cooperatives under chapter 394, or property assessed by the state tax commission under
24 chapters 151, 153, and 155, section 137.022, and sections 137.1000 to 137.1030.

137.115. 1. **(1)** All other laws to the contrary notwithstanding, the assessor or the
2 assessor's deputies in all counties of this state including the City of St. Louis shall annually
3 make a list of all real and tangible personal property taxable in the assessor's city, county,
4 town or district.

5 **(2)** Except as otherwise provided in subsection 3 of this section and section 137.078,
6 the assessor shall annually assess all personal property at thirty-three and one-third percent of
7 its true value in money as of January first of each calendar year.

8 **(3)** The assessor shall annually assess all real property, including any new
9 construction and improvements to real property, and possessory interests in real property at
10 the percent of its true value in money set in subsection 5 of this section. The true value in
11 money of any possessory interest in real property in subclass (3), where such real property is
12 on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as
13 defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139 certification and
14 owned by a political subdivision, shall be the otherwise applicable true value in money of any
15 such possessory interest in real property, less the total dollar amount of costs paid by a party,
16 other than the political subdivision, towards any new construction or improvements on such
17 real property completed after January 1, 2008, and which are included in the above-
18 mentioned possessory interest, regardless of the year in which such costs were incurred or
19 whether such costs were considered in any prior year. The assessor shall annually assess all
20 real property in the following manner: new assessed values shall be determined as of January
21 first of each odd-numbered year and shall be entered in the assessor's books; those same
22 assessed values shall apply in the following even-numbered year, except for new construction
23 and property improvements which shall be valued as though they had been completed as of

24 January first of the preceding odd-numbered year. The assessor may call at the office, place
25 of doing business, or residence of each person required by this chapter to list property, and
26 require the person to make a correct statement of all taxable tangible personal property owned
27 by the person or under his or her care, charge or management, taxable in the county.

28 (4) On or before January first of each even-numbered year, the assessor shall prepare
29 and submit a two-year assessment maintenance plan to the county governing body and the
30 state tax commission for their respective approval or modification. The county governing
31 body shall approve and forward such plan or its alternative to the plan to the state tax
32 commission by February first. If the county governing body fails to forward the plan or its
33 alternative to the plan to the state tax commission by February first, the assessor's plan shall
34 be considered approved by the county governing body. If the state tax commission fails to
35 approve a plan and if the state tax commission and the assessor and the governing body of the
36 county involved are unable to resolve the differences, in order to receive state cost-share
37 funds outlined in section 137.750, the county or the assessor shall petition the administrative
38 hearing commission, by May first, to decide all matters in dispute regarding the assessment
39 maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties
40 proceed with mediation or arbitration upon terms agreed to by the parties. The final decision
41 of the administrative hearing commission shall be subject to judicial review in the circuit
42 court of the county involved.

43 (5) In the event a valuation of subclass (1) real property **or subclass (3) real**
44 **property** within any county with a charter form of government, or within a city not within a
45 county, is made by a computer, computer-assisted method or a computer program, the burden
46 of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall
47 be on the assessor at any hearing or appeal. In any such county, unless the assessor proves
48 otherwise, there shall be a presumption that the assessment was made by a computer,
49 computer-assisted method or a computer program. Such evidence shall include, but shall not
50 be limited to, the following:

51 ~~[(1)]~~ (a) The findings of the assessor based on an appraisal of the property by
52 generally accepted appraisal techniques; and

53 ~~[(2)]~~ (b) The purchase prices from sales of at least three comparable properties and
54 the address or location thereof. As used in this subdivision, the word "comparable" means
55 that:

56 ~~[(a)]~~ a. Such sale was closed at a date relevant to the property valuation; and

57 ~~[(b)]~~ b. Such properties are not more than one mile from the site of the disputed
58 property, except where no similar properties exist within one mile of the disputed property,
59 the nearest comparable property shall be used. Such property shall be within five hundred

60 square feet in size of the disputed property, and resemble the disputed property in age, floor
61 plan, number of rooms, and other relevant characteristics.

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

64 3. The following items of personal property shall each constitute separate subclasses
65 of tangible personal property and shall be assessed and valued for the purposes of taxation at
66 the following percentages of their true value in money:

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

69 (2) Livestock, twelve percent;

70 (3) Farm machinery, twelve percent;

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

75 (5) Poultry, twelve percent;

76 (6) Tools and equipment used for pollution control and tools and equipment used in
77 retooling for the purpose of introducing new product lines or used for making improvements
78 to existing products by any company which is located in a state enterprise zone and which is
79 identified by any standard industrial classification number cited in subdivision (7) of section
80 135.200, twenty-five percent; and

81 (7) Solar panels, racking systems, inverters, and related solar equipment, components,
82 materials, and supplies installed in connection with solar photovoltaic energy systems, as
83 described in subdivision (46) of subsection 2 of section 144.030, that were constructed and
84 producing solar energy prior to August 9, 2022, five percent.

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

89 5. (1) All subclasses of real property, as such subclasses are established in Section 4
90 (b) of Article X of the Missouri Constitution and defined in section 137.016, shall be assessed
91 at the following percentages of true value:

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

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

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

95 (2) A taxpayer may apply to the county assessor, or, if not located within a county,
96 then the assessor of such city, for the reclassification of such taxpayer's real property if the use

97 or purpose of such real property is changed after such property is assessed under the
98 provisions of this chapter. If the assessor determines that such property shall be reclassified,
99 he or she shall determine the assessment under this subsection based on the percentage of the
100 tax year that such property was classified in each subclassification.

101 6. Manufactured homes, as defined in section 700.010, which are actually used as
102 dwelling units shall be assessed at the same percentage of true value as residential real
103 property for the purpose of taxation. The percentage of assessment of true value for such
104 manufactured homes shall be the same as for residential real property. If the county collector
105 cannot identify or find the manufactured home when attempting to attach the manufactured
106 home for payment of taxes owed by the manufactured home owner, the county collector may
107 request the county commission to have the manufactured home removed from the tax books,
108 and such request shall be granted within thirty days after the request is made; however, the
109 removal from the tax books does not remove the tax lien on the manufactured home if it is
110 later identified or found. For purposes of this section, a manufactured home located in a
111 manufactured home rental park, rental community or on real estate not owned by the
112 manufactured home owner shall be considered personal property. For purposes of this
113 section, a manufactured home located on real estate owned by the manufactured home owner
114 may be considered real property.

115 7. Each manufactured home assessed shall be considered a parcel for the purpose of
116 reimbursement pursuant to section 137.750, unless the manufactured home is deemed to be
117 real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement
118 to the existing real estate parcel.

119 8. Any amount of tax due and owing based on the assessment of a manufactured
120 home shall be included on the personal property tax statement of the manufactured home
121 owner unless the manufactured home is deemed to be real estate as defined in subsection 7 of
122 section 442.015, in which case the amount of tax due and owing on the assessment of the
123 manufactured home as a realty improvement to the existing real estate parcel shall be
124 included on the real property tax statement of the real estate owner.

125 9. The assessor of each county and each city not within a county shall use a nationally
126 recognized automotive trade publication such as the National Automobile Dealers'
127 Association Official Used Car Guide, Kelley Blue Book, Edmunds, or other similar
128 publication as the recommended guide of information for determining the true value of motor
129 vehicles described in such publication. The state tax commission shall select and make
130 available to all assessors which publication shall be used. The assessor of each county and
131 each city not within a county shall use the trade-in value published in the current October
132 issue of the publication selected by the state tax commission. The assessor shall not use a
133 value that is greater than the average trade-in value in determining the true value of the motor

134 vehicle without performing a physical inspection of the motor vehicle. For vehicles two years
135 old or newer from a vehicle's model year, the assessor may use a value other than average
136 without performing a physical inspection of the motor vehicle. In the absence of a listing for
137 a particular motor vehicle in such publication, the assessor shall use such information or
138 publications that, in the assessor's judgment, will fairly estimate the true value in money of
139 the motor vehicle. For motor vehicles with a true value of less than fifty thousand dollars as
140 of January 1, 2025, the assessor shall not assess such motor vehicle for an amount greater
141 than such motor vehicle was assessed in the previous year, provided that such motor vehicle
142 was properly assessed in the previous year.

143 10. Before the assessor may increase the assessed valuation of any parcel of subclass
144 (1) real property **or any parcel of subclass (3) real property** by more than fifteen percent
145 since the last assessment, excluding increases due to new construction or improvements, the
146 assessor shall conduct a physical inspection of such property.

147 11. If a physical inspection is required, pursuant to subsection 10 of this section, the
148 assessor shall notify the property owner of that fact in writing and shall provide the owner
149 clear written notice of the owner's rights relating to the physical inspection. If a physical
150 inspection is required, the property owner may request that an interior inspection be
151 performed during the physical inspection. The owner shall have no less than thirty days to
152 notify the assessor of a request for an interior physical inspection.

153 12. A physical inspection, as required by subsection 10 of this section, shall include,
154 but not be limited to, an on-site personal observation and review of all exterior portions of the
155 land and any buildings and improvements to which the inspector has or may reasonably and
156 lawfully gain external access, and shall include an observation and review of the interior of
157 any buildings or improvements on the property upon the timely request of the owner pursuant
158 to subsection 11 of this section. Mere observation of the property via a drive-by inspection or
159 the like shall not be considered sufficient to constitute a physical inspection as required by
160 this section.

161 13. A county or city collector may accept credit cards as proper form of payment of
162 outstanding property tax or license due. No county or city collector may charge surcharge for
163 payment by credit card which exceeds the fee or surcharge charged by the credit card bank,
164 processor, or issuer for its service. A county or city collector may accept payment by
165 electronic transfers of funds in payment of any tax or license and charge the person making
166 such payment a fee equal to the fee charged the county by the bank, processor, or issuer of
167 such electronic payment.

168 14. ~~Any county or city not within a county in this state may, by an affirmative vote of~~
169 ~~the governing body of such county, opt out of the provisions of this section and sections~~
170 ~~137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety first general~~

171 ~~assembly, second regular session and section 137.073 as modified by house committee~~
172 ~~substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-~~
173 ~~second general assembly, second regular session, for the next year of the general~~
174 ~~reassessment, prior to January first of any year. No county or city not within a county~~
175 ~~shall exercise this opt-out provision after implementing the provisions of this section and~~
176 ~~sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety first~~
177 ~~general assembly, second regular session and section 137.073 as modified by house~~
178 ~~committee substitute for senate substitute for senate committee substitute for senate bill no.~~
179 ~~960, ninety-second general assembly, second regular session, in a year of general~~
180 ~~reassessment. For the purposes of applying the provisions of this subsection, a political~~
181 ~~subdivision contained within two or more counties where at least one of such counties has~~
182 ~~opted out and at least one of such counties has not opted out shall calculate a single tax rate as~~
183 ~~in effect prior to the enactment of house bill no. 1150 of the ninety first general assembly,~~
184 ~~second regular session. A governing body of a city not within a county or a county that has~~
185 ~~opted out under the provisions of this subsection may choose to implement the provisions of~~
186 ~~this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of~~
187 ~~the ninety first general assembly, second regular session, and section 137.073 as modified by~~
188 ~~house committee substitute for senate substitute for senate committee substitute for senate bill~~
189 ~~no. 960, ninety-second general assembly, second regular session, for the next year of general~~
190 ~~reassessment, by an affirmative vote of the governing body prior to December thirty first of~~
191 ~~any year.~~

192 ~~15. The governing body of any city of the third classification with more than twenty-~~
193 ~~six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants~~
194 ~~located in any county that has exercised its authority to opt out under subsection 14 of this~~
195 ~~section may levy separate and differing tax rates for real and personal property only if such~~
196 ~~city bills and collects its own property taxes or satisfies the entire cost of the billing and~~
197 ~~collection of such separate and differing tax rates. Such separate and differing rates shall not~~
198 ~~exceed such city's tax rate ceiling] Beginning on January 1, 2027, each county and city not~~
199 **within a county shall determine the assessed valuation, set and revise rates of levy, and**
200 **make adjustments to current levies required under Article X, Section 22 of the**
201 **Constitution of Missouri for each subclass of real property, individually, and personal**
202 **property, in the aggregate.**

203 ~~[16.]~~ **15.** Any portion of real property that is available as reserve for strip, surface, or
204 coal mining for minerals for purposes of excavation for future use or sale to others that has
205 not been bonded and permitted under chapter 444 shall be assessed based upon how the real
206 property is currently being used. Any information provided to a county assessor, state tax
207 commission, state agency, or political subdivision responsible for the administration of tax

208 policies shall, in the performance of its duties, make available all books, records, and
209 information requested, except such books, records, and information as are by law declared
210 confidential in nature, including individually identifiable information regarding a specific
211 taxpayer or taxpayer's mine property. For purposes of this subsection, "mine property" shall
212 mean all real property that is in use or readily available as a reserve for strip, surface, or coal
213 mining for minerals for purposes of excavation for current or future use or sale to others that
214 has been bonded and permitted under chapter 444.

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

2 (1) "Eligible credit amount", the difference between an eligible taxpayer's real
3 property tax liability on such taxpayer's homestead for a given tax year **from all political**
4 **subdivisions levying a real property tax**, minus the real property tax liability on such
5 homestead in the eligible taxpayer's initial credit year;

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

7 (a) Is sixty-two years of age or older **as of January first of the applicable tax year**;

8 (b) Is an owner of record of a homestead or has a legal or equitable interest in such
9 property as evidenced by a **publicly recorded or a verified** written instrument **including,**
10 **but not limited to, a trust document in which at least one primary beneficiary is sixty-**
11 **two years of age or older**; and

12 (c) Is liable for the payment of real property taxes on such homestead;

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

15 (4) "Initial credit year":

16 (a) In the case of a taxpayer that meets all requirements of subdivision (2) of this
17 subsection prior to the year in which a credit is authorized pursuant to subsection 2 of this
18 section, the year in which such credit is authorized;

19 (b) For all other taxpayers, the year in which the taxpayer meets all requirements of
20 subdivision (2) of this subsection.

21

22 If in any tax year subsequent to the eligible taxpayer's initial credit year the eligible taxpayer's
23 real property tax liability is lower than such liability in the initial credit year, such tax year
24 shall be considered the eligible taxpayer's initial credit year for all subsequent tax years. This
25 provision shall not apply if an eligible taxpayer's real property tax liability is lower than such
26 liability in the taxpayer's initial credit year solely due to a reduction in a property tax levy
27 made pursuant to section 321.554.

28 2. (1) Any county authorized to impose a property tax may grant a property tax credit
29 to **all** eligible taxpayers residing in such county **for certain increases to such taxpayer's**

30 **real property tax liability** in an amount equal to the taxpayer's eligible credit amount,
 31 provided that:

32 (a) Such county adopts an ordinance authorizing such credit; or

33 (b) a. A petition in support of a referendum on such a credit is signed by at least five
 34 percent of the registered voters of such county voting in the last gubernatorial election and the
 35 petition is delivered to the governing body of the county, which shall subsequently hold a
 36 referendum on such credit.

37 b. The ballot of submission for the question submitted to the voters pursuant to
 38 paragraph (b) of this subdivision shall be in substantially the following form:

39 Shall the County of _____ exempt senior citizens aged 62 and
 40 older from increases in the property tax liability due on such
 41 senior citizens' primary residence?

42 YES NO

43

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

46 (2) An ordinance adopted pursuant to paragraph (a) of subdivision (1) of this
 47 subsection shall not preclude such ordinance from being amended or superseded by a petition
 48 subsequently adopted pursuant to paragraph (b) of subdivision (1) of this subsection.

49 3. (1) **In a county granting a real property tax credit pursuant to this section, the**
 50 **county and each political subdivision levying a real property tax on an eligible**
 51 **taxpayer's homestead shall apply the county's or political subdivision's proportional**
 52 **amount of such credit when calculating the eligible taxpayer's property tax liability for the**
 53 **tax year. The total amount of the credit and the county's and each political subdivision's**
 54 **proportional amount of the credit shall be noted in actual monetary value on the**
 55 **statement of tax due sent to the eligible taxpayer by the county collector. A note on the**
 56 **statement of tax due shall indicate that it is the responsibility of the taxpayer to notify**
 57 **the county if he or she is no longer eligible for the credit provided under this section.**
 58 **Such ineligibility shall include, but not be limited to, circumstances in which the**
 59 **taxpayer is no longer the owner of record, is no longer liable for the payment of**
 60 **property taxes on the qualifying residence, or no longer occupies the qualifying**
 61 **residence due to death or relocation, or the qualifying residence is no longer such**
 62 **taxpayer's primary residence. Failure to notify the county governing body of**
 63 **ineligibility may result in penalties described in this section. The county governing**
 64 **body or political subdivision's governing body may adopt reasonable procedures in order to**
 65 **carry out the purposes and intent of this section, provided that neither the county nor a**

66 **political subdivision** shall ~~[not]~~ adopt any procedure that limits the definition or scope of
67 eligible credit amount or eligible taxpayer as defined in this section.

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

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

76 4. For the purposes of calculating property tax levies pursuant to section 137.073, the
77 total amount of credits authorized ~~[by]~~ **in** a county pursuant to this section shall be considered
78 tax revenue, as such term is defined in section 137.073, actually received **by the political**
79 **subdivision levying such tax.**

80 5. ~~[A county granting a tax credit pursuant to this section shall notify each political~~
81 ~~subdivision within such county of the total credit amount applicable to such political~~
82 ~~subdivision by no later than November thirtieth of each year]~~ **For purposes of this section,**
83 **"real property tax" includes, but is not limited to, the following levies on an eligible**
84 **taxpayer's homestead by a county or a political subdivision within such county:**

85 (1) **A tax levy for debt service;**

86 (2) **A tax levy for operating purposes or operating expenses;**

87 (3) **A tax levy for capital improvements or capital projects;**

88 (4) **A special assessment or special tax levy; and**

89 (5) **Any other real property tax levied for any purpose.**

90 6. **Nothing in this section shall be construed to prevent an eligible taxpayer from**
91 **appealing an assessment.**

92 7. **For all tax years beginning on or after the effective date of this section, an**
93 **eligible taxpayer applying for the tax credit authorized under the provisions of this**
94 **section shall not be required to reapply annually. Upon initial qualification under the**
95 **provisions of this section and any additional provisions adopted by the county governing**
96 **body, the eligible taxpayer shall maintain such eligibility without a requirement to**
97 **reapply for qualification each year. The tax credit shall continue to be automatically**
98 **applied to the eligible taxpayer's homestead until the tax year in which the eligible**
99 **taxpayer relocates to another homestead or upon the death of the eligible taxpayer,**
100 **which shall be certified with a copy of the death certificate or notification of the**
101 **relocation within ninety days of the date of either such event. If a credit is granted in**

102 error due to the failure of the taxpayer to notify the county collector of relocation or
103 death, the governing body of the county may remedy the error.

104 **8.** The department of health and senior services shall, subject to appropriation
105 by the general assembly, establish and maintain a secure electronic portal accessible to
106 each county, through a county designee authorized to administer or assist in
107 administering any senior citizen property tax credit program authorized under this
108 section for the limited purpose of verifying whether an applicant is deceased. Such
109 portal shall permit authorized county designees to access or query records necessary to
110 determine the death status of applicants in order to ensure the accurate and lawful
111 administration of such tax credit.

112 **9.** In the event no appropriation is made for the establishment or maintenance of
113 such portal, the department of health and senior services shall, no later than July
114 thirtieth of each year, provide to each county, through its authorized county designee, a
115 report listing all individuals whose deaths were recorded within that county during the
116 period beginning July first of the immediately preceding year and ending June thirtieth
117 of the current year. Such report shall be provided in a format reasonably usable by the
118 county designee for purposes of administering, verifying, and maintaining eligibility for
119 the senior citizen property tax credit.

120 **10.** Each county designee, in furtherance of administering any senior citizen
121 property tax credit eliminating the need for mandatory annual renewal by eligible
122 applicants, shall implement reasonable procedures to determine whether a change of
123 ownership has occurred with respect to any homestead receiving such credit prior to the
124 issuance of property tax statements for the applicable tax year. Such procedures shall
125 conform to applicable local ordinances, administrative processes, and available records,
126 and shall ensure the accurate continuation or removal of such credit based upon
127 eligibility.

128 **11.** Any payment of real or personal property taxes transmitted through the
129 United States Postal Service and postmarked no later than January fifth of the year
130 immediately following the applicable tax year shall be deemed timely paid and shall not
131 be subject to penalty or interest, provided that, regardless of postmark date, any check,
132 cashier's check, or money order dated later than December thirty-first of the applicable
133 tax year shall be considered delinquent, and further provided that any payment made
134 by means other than United States Postal Service mail, including but not limited to in-
135 person, electronic, internet, interactive voice response, or electronic check payments
136 shall be considered delinquent if received after December thirty-first of the applicable
137 tax year.

138 **12. Notwithstanding any provision of law to the contrary, in any county**
139 **operating under a township form of government, the township collector, or other county**
140 **designee authorized to collect property taxes, shall have the same authority as provided**
141 **to county collectors under section 139.053 to accept partial or installment payments of**
142 **real and personal property taxes prior to delinquency. Such township collector or**
143 **county designee may establish reasonable procedures for the acceptance, processing,**
144 **safeguarding, and accounting of such installment payments consistent with state law**
145 **and local ordinances, and taxpayers within such jurisdictions shall have the same rights**
146 **and opportunities to remit property taxes through installment payments as taxpayers in**
147 **counties without a township form of government.**

148 **13. Notwithstanding any provision of law to the contrary, in the event a county**
149 **experiences technical, administrative, or operational difficulties that materially delay**
150 **the preparation, printing, or mailing of real or personal property tax statements, the**
151 **county governing body may extend the deadline for timely payment of such taxes for a**
152 **period not to exceed thirty days beyond the otherwise applicable delinquency date.**
153 **During such extension period, payments received shall be deemed timely and shall not**
154 **be subject to penalty or interest. The county governing body shall provide reasonable**
155 **public notice of such extension, and such extension shall apply uniformly to all affected**
156 **taxpayers within the jurisdiction.**

157 **14. Notwithstanding any provision of law to the contrary, the county assessor,**
158 **township assessor, or other county designee responsible for the administration of**
159 **assessment lists, personal property declarations, homestead verification forms, or other**
160 **assessment-related filings may allow a grace period not to exceed ten days following the**
161 **statutory deadline for submission of such forms when such forms are transmitted**
162 **through the United States Postal Service and postmarked on or before the applicable**
163 **due date but received after such due date due to postal delay. Any such form received**
164 **within the authorized grace period shall be deemed timely filed and shall not result in**
165 **penalty, estimated assessment, or disqualification from any property tax credit or relief**
166 **program solely due to delayed receipt. The assessor or county designee may establish**
167 **reasonable procedures to verify postmark dates and ensure uniform and consistent**
168 **application of such grace period in accordance with state law.**

137.1055. 1. For the purposes of this section, the following terms shall mean:

2 (1) "County", a five percent county or a zero percent county;

3 (2) "Five percent county":

4 (a) Any county with more than forty thousand but fewer than fifty thousand
5 inhabitants and with a county seat with more than fourteen thousand but fewer than eighteen
6 thousand inhabitants;

7 (b) Any county with more than five thousand but fewer than six thousand inhabitants
8 and with a county seat with fewer than nine hundred inhabitants;

9 (c) Any county with more than twenty-five thousand but fewer than thirty thousand
10 inhabitants and with a county seat with more than eight thousand but fewer than twelve
11 thousand inhabitants;

12 (d) Any county with more than twelve thousand five hundred but fewer than fourteen
13 thousand inhabitants and with a county seat with more than five thousand but fewer than six
14 thousand inhabitants;

15 (e) Any county with more than fifteen thousand seven hundred but fewer than
16 seventeen thousand six hundred inhabitants and with a county seat with more than two
17 thousand but fewer than three thousand inhabitants;

18 (f) Any county with more than eight thousand but fewer than eight thousand nine
19 hundred inhabitants and with a county seat with more than six hundred seventy but fewer than
20 seven hundred thirty inhabitants;

21 (g) Any county with more than fourteen thousand but fewer than fifteen thousand
22 seven hundred inhabitants and with a county seat with more than five thousand five hundred
23 but fewer than eight thousand inhabitants;

24 (h) Any county with more than nine thousand nine hundred but fewer than eleven
25 thousand inhabitants and with a county seat with more than one thousand five hundred but
26 fewer than two thousand five hundred inhabitants;

27 (i) Any county with more than twenty-five thousand but fewer than thirty thousand
28 inhabitants and with a county seat with more than five hundred but fewer than two thousand
29 five hundred inhabitants;

30 (j) Any county with more than nine thousand nine hundred but fewer than eleven
31 thousand inhabitants and with a county seat with more than three hundred but fewer than six
32 hundred inhabitants;

33 (k) Any county with more than seventeen thousand six hundred but fewer than
34 nineteen thousand inhabitants and with a county seat with more than five thousand fifty but
35 fewer than seven thousand inhabitants;

36 (l) Any county with more than five thousand but fewer than six thousand inhabitants
37 and with a county seat with more than nine hundred but fewer than one thousand six hundred
38 inhabitants;

39 (m) Any county with more than eight thousand but fewer than eight thousand nine
40 hundred inhabitants and with a county seat with fewer than three hundred inhabitants;

41 (n) Any county with more than eight thousand but fewer than eight thousand nine
42 hundred inhabitants and with a county seat with more than three thousand three hundred but
43 fewer than five thousand inhabitants;

44 (o) Any county with more than seven thousand but fewer than eight thousand
45 inhabitants and with a county seat with fewer than four hundred eighty inhabitants;

46 (p) Any county with more than nineteen thousand but fewer than twenty-two
47 thousand inhabitants and with a county seat with more than two thousand two hundred twenty
48 but fewer than two thousand five hundred inhabitants;

49 (q) Any county with more than eight thousand but fewer than eight thousand nine
50 hundred inhabitants and with a county seat with more than one thousand three hundred but
51 fewer than two thousand inhabitants;

52 (r) Any county with more than eleven thousand but fewer than twelve thousand five
53 hundred inhabitants and with a county seat with more than one thousand but fewer than two
54 thousand inhabitants;

55 (s) Any county with more than six thousand but fewer than seven thousand
56 inhabitants and with a county seat with more than one thousand but fewer than one thousand
57 eight hundred inhabitants;

58 (t) Any county with more than eight thousand nine hundred but fewer than nine
59 thousand nine hundred inhabitants and with a county seat with more than five thousand but
60 fewer than six thousand inhabitants;

61 (u) Any county with more than eight thousand but fewer than eight thousand nine
62 hundred inhabitants and with a county seat with more than two thousand but fewer than three
63 thousand three hundred inhabitants;

64 (v) Any county with more than four thousand but fewer than four thousand five
65 hundred inhabitants and with a county seat with more than eight hundred inhabitants;

66 (w) Any county with more than eleven thousand but fewer than twelve thousand five
67 hundred inhabitants and with a county seat with more than one hundred but fewer than five
68 hundred inhabitants;

69 (x) Any county with more than fourteen thousand but fewer than fifteen thousand
70 seven hundred inhabitants and with a county seat with more than eight thousand but fewer
71 than ten thousand inhabitants;

72 (y) Any county with more than two thousand but fewer than three thousand six
73 hundred inhabitants;

74 (z) Any county with more than nineteen thousand but fewer than twenty-two
75 thousand inhabitants and with a county seat with more than ten thousand but fewer than
76 thirteen thousand inhabitants;

77 (aa) Any county with more than five thousand but fewer than six thousand inhabitants
78 and with a county seat with more than one thousand six hundred but fewer than two thousand
79 six hundred inhabitants;

80 (bb) Any county with fewer than two thousand inhabitants;

81 (cc) Any county with more than nineteen thousand but fewer than twenty-two
82 thousand inhabitants and with a county seat with more than one thousand but fewer than two
83 thousand two hundred twenty inhabitants;

84 (dd) Any county with more than fourteen thousand but fewer than fifteen thousand
85 seven hundred inhabitants and with a county seat with more than one thousand but fewer than
86 two thousand inhabitants;

87 (ee) Any county with more than fifteen thousand seven hundred but fewer than
88 seventeen thousand six hundred inhabitants and with a county seat with more than three
89 thousand but fewer than three thousand six hundred inhabitants;

90 (ff) Any county with more than nineteen thousand but fewer than twenty-two
91 thousand inhabitants and with a county seat with more than eight thousand five hundred but
92 fewer than ten thousand inhabitants;

93 (gg) Any county with more than eight thousand but fewer than eight thousand nine
94 hundred inhabitants and with a county seat with more than six hundred but fewer than six
95 hundred seventy inhabitants;

96 (hh) Any county with more than forty thousand but fewer than fifty thousand
97 inhabitants and with a county seat with more than twenty-one thousand but fewer than thirty-
98 one thousand inhabitants;

99 (ii) Any county with more than thirty thousand but fewer than thirty-five thousand
100 inhabitants and with a county seat with more than nine thousand but fewer than thirteen
101 thousand inhabitants;

102 (jj) Any county with more than eight thousand nine hundred but fewer than nine
103 thousand nine hundred inhabitants and with a county seat with fewer than one thousand
104 inhabitants;

105 (kk) Any county with more than nineteen thousand but fewer than twenty-two
106 thousand inhabitants and with a county seat with more than six thousand but fewer than eight
107 thousand five hundred inhabitants;

108 (ll) Any county with more than fifteen thousand seven hundred but fewer than
109 seventeen thousand six hundred inhabitants and with a county seat with more than seven
110 thousand but fewer than nine thousand inhabitants;

111 (mm) Any county with more than twenty-two thousand but fewer than twenty-five
112 thousand inhabitants and with a county seat with more than twelve thousand five hundred but
113 fewer than sixteen thousand inhabitants;

114 (nn) Any county with more than thirty thousand but fewer than thirty-five thousand
115 inhabitants and with a county seat with more than three thousand eight hundred but fewer
116 than six thousand inhabitants;

117 (oo) Any county with more than twenty-two thousand but fewer than twenty-five
118 thousand inhabitants and with a county seat with more than five thousand but fewer than eight
119 thousand inhabitants;

120 (pp) Any county with more than twenty-two thousand but fewer than twenty-five
121 thousand inhabitants and with a county seat with more than one thousand four hundred but
122 fewer than one thousand nine hundred inhabitants;

123 (qq) Any county with more than sixty thousand but fewer than seventy thousand
124 inhabitants;

125 (rr) Any county with more than seventeen thousand six hundred but fewer than
126 nineteen thousand inhabitants and with a county seat with more than four thousand but fewer
127 than five thousand fifty inhabitants;

128 (ss) Any county with more than twenty-two thousand but fewer than twenty-five
129 thousand inhabitants and with a county seat with more than two thousand three hundred but
130 fewer than four thousand inhabitants;

131 (tt) Any county with more than one hundred thousand but fewer than one hundred
132 twenty thousand inhabitants and with a county seat with more than four thousand but fewer
133 than six thousand inhabitants;

134 (uu) Any county with more than eighty thousand but fewer than one hundred
135 thousand inhabitants and with a county seat with more than seventy thousand but fewer than
136 eighty thousand inhabitants;

137 (vv) Any county with more than twenty-five thousand but fewer than thirty thousand
138 inhabitants and with a county seat with more than fourteen thousand but fewer than twenty
139 thousand inhabitants;

140 (ww) Any county with more than twenty-two thousand but fewer than twenty-five
141 thousand inhabitants and with a county seat with more than nine thousand but fewer than
142 twelve thousand five hundred inhabitants;

143 (xx) Any county with more than six thousand but fewer than seven thousand
144 inhabitants and with a county seat with more than one thousand eight hundred but fewer than
145 two thousand five hundred inhabitants;

146 (yy) Any county with more than three thousand six hundred but fewer than four
147 thousand inhabitants;

148 (zz) Any county with more than nine thousand nine hundred but fewer than eleven
149 thousand inhabitants and with a county seat with fewer than two hundred inhabitants;

150 (aaa) Any county with more than fourteen thousand but fewer than fifteen thousand
151 seven hundred inhabitants and with a county seat with more than four thousand nine hundred
152 but fewer than five thousand five hundred inhabitants;

153 (bbb) Any county with more than twenty-five thousand but fewer than thirty thousand
154 inhabitants and with a county seat with more than two thousand five hundred but fewer than
155 six thousand inhabitants;

156 (ccc) Any county with more than eight thousand but fewer than eight thousand nine
157 hundred inhabitants and with a county seat with more than eight hundred but fewer than one
158 thousand three hundred inhabitants;

159 (ddd) Any county with more than four thousand five hundred but fewer than five
160 thousand inhabitants and with a county seat with more than one thousand seven hundred
161 thirty-three inhabitants;

162 (eee) Any county with more than nine thousand nine hundred but fewer than eleven
163 thousand inhabitants and with a county seat with more than six hundred but fewer than one
164 thousand inhabitants;

165 (fff) Any county with more than twenty-two thousand but fewer than twenty-five
166 thousand inhabitants and with a county seat with more than nine hundred but fewer than one
167 thousand four hundred inhabitants;

168 (ggg) Any county with more than four thousand but fewer than four thousand five
169 hundred inhabitants and with a county seat with fewer than eight hundred inhabitants;

170 (hhh) Any county with more than four thousand five hundred but fewer than five
171 thousand inhabitants and with a county seat with fewer than one thousand seven hundred
172 thirty-three inhabitants;

173 (iii) Any county with more than six thousand but fewer than seven thousand
174 inhabitants and with a county seat with more than four hundred but fewer than one thousand
175 inhabitants;

176 (jjj) Any county with more than one hundred twenty thousand but fewer than one
177 hundred fifty thousand inhabitants;

178 (kkk) Any county with more than fifty thousand but fewer than sixty thousand
179 inhabitants and with a county seat with more than ten thousand but fewer than twelve
180 thousand six hundred inhabitants;

181 (lll) Any county with more than nine thousand nine hundred but fewer than eleven
182 thousand inhabitants and with a county seat with more than one thousand but fewer than one
183 thousand five hundred inhabitants;

184 (mmm) Any county with more than eighty thousand but fewer than one hundred
185 thousand inhabitants and with a county seat with more than thirteen thousand but fewer than
186 seventeen thousand inhabitants;

187 (nnn) Any county with more than eight thousand nine hundred but fewer than nine
188 thousand nine hundred inhabitants and with a county seat with more than one thousand but
189 fewer than two thousand inhabitants;

190 (ooo) Any county with more than twelve thousand five hundred but fewer than
191 fourteen thousand inhabitants and with a county seat with more than four thousand but fewer
192 than five thousand inhabitants;

193 (ppp) Any county with more than seventeen thousand six hundred but fewer than
194 nineteen thousand inhabitants and with a county seat with more than eight thousand but fewer
195 than ten thousand inhabitants;

196 (qqq) Any county with more than six thousand but fewer than seven thousand
197 inhabitants and with a county seat with fewer than three hundred inhabitants;

198 (rrr) Any county with more than thirty-five thousand but fewer than forty thousand
199 inhabitants and with a county seat with more than five hundred but fewer than two thousand
200 inhabitants;

201 (sss) Any county with more than fifteen thousand seven hundred but fewer than
202 seventeen thousand six hundred inhabitants and with a county seat with more than four
203 thousand two hundred ten but fewer than six thousand inhabitants;

204 (ttt) Any county with more than forty thousand but fewer than fifty thousand
205 inhabitants and with a county seat with more than ten thousand but fewer than fourteen
206 thousand inhabitants;

207 (uuu) Any county with more than fifty thousand but fewer than sixty thousand
208 inhabitants and with a county seat with more than twelve thousand six hundred but fewer than
209 fifteen thousand inhabitants;

210 (vvv) Any county with more than eleven thousand but fewer than twelve thousand
211 five hundred inhabitants and with a county seat with more than two thousand but fewer than
212 two thousand eight hundred fifty inhabitants;

213 (www) Any county with more than fifteen thousand seven hundred but fewer than
214 seventeen thousand six hundred inhabitants and with a county seat with more than three
215 thousand six hundred but fewer than four thousand two hundred ten inhabitants;

216 (3) "Eligible credit amount", the difference between an eligible taxpayer's real
217 property tax liability on such taxpayer's homestead for a given tax year, minus the real
218 property tax liability on such homestead in the eligible taxpayer's initial credit year, provided
219 that, for five percent counties, the real property tax liability on an eligible taxpayer's
220 homestead as determined in the taxpayer's initial credit year may be increased by no more
221 than five percent per year or the percent increase in the Consumer Price Index for All Urban
222 Consumers, as published by the Bureau of Labor Statistics, whichever is ~~greater~~ **lower**, and
223 for zero percent counties, the real property tax liability on an eligible taxpayer's homestead
224 shall not be increased above the liability incurred during the initial credit year. For all
225 counties, an eligible taxpayer's real property tax liability shall be increased to reflect any
226 increase in tax liability derived from any new property tax levy or an increase in an existing

227 property tax levy approved by the voters subsequent to an eligible taxpayer's initial credit
228 year, provided that, for five percent counties, such increase shall not be considered for the
229 purposes of calculating the allowable increase in an eligible taxpayer's real property tax
230 liability as provided in this subdivision;

231 (4) "Eligible taxpayer", a Missouri resident who:

232 (a) Is an owner of record of a homestead or has a legal or equitable interest in such
233 property as evidenced by a written instrument; and

234 (b) Is liable for the payment of real property taxes on such homestead;

235 (5) "Homestead", real property actually occupied by an eligible taxpayer as the
236 primary residence. An eligible taxpayer shall not claim more than one primary residence;

237 (6) "Initial credit year", the 2024 tax year.

238

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

242 (7) "Zero percent county":

243 (a) Any county with more than one hundred thousand but fewer than one hundred
244 twenty thousand inhabitants and with a county seat with more than nine thousand but fewer
245 than eleven thousand inhabitants;

246 (b) Any county with more than fifty thousand but fewer than sixty thousand
247 inhabitants and with a county seat with more than seventeen thousand but fewer than twenty-
248 one thousand inhabitants;

249 (c) Any county with more than one hundred thousand but fewer than one hundred
250 twenty thousand inhabitants and with a county seat with more than twelve thousand but fewer
251 than fourteen thousand inhabitants;

252 (d) Any county with more than fourteen thousand but fewer than fifteen thousand
253 seven hundred inhabitants and with a county seat with more than two thousand but fewer than
254 three thousand inhabitants;

255 (e) Any county with more than twelve thousand five hundred but fewer than fourteen
256 thousand inhabitants and with a county seat with more than one thousand but fewer than two
257 thousand inhabitants;

258 (f) Any county with more than thirty-five thousand but fewer than forty thousand
259 inhabitants and with a county seat with more than eight thousand but fewer than ten thousand
260 inhabitants;

261 (g) Any county with more than two hundred thousand but fewer than two hundred
262 thirty thousand inhabitants;

263 (h) Any county with more than eleven thousand but fewer than twelve thousand five
264 hundred inhabitants and with a county seat with more than two thousand eight hundred fifty
265 but fewer than four thousand inhabitants;

266 (i) Any county with more than thirty-five thousand but fewer than forty thousand
267 inhabitants and with a county seat with more than ten thousand but fewer than fourteen
268 thousand inhabitants;

269 (j) Any county with more than eight thousand but fewer than eight thousand nine
270 hundred inhabitants and with a county seat with more than seven hundred thirty but fewer
271 than eight hundred inhabitants;

272 (k) Any county with more than seven thousand but fewer than eight thousand
273 inhabitants and with a county seat with more than four hundred eighty but fewer than one
274 thousand inhabitants;

275 (l) Any county with more than thirty thousand but fewer than thirty-five thousand
276 inhabitants and with a county seat with more than two hundred but fewer than nine hundred
277 inhabitants;

278 (m) Any county with more than fifty thousand but fewer than sixty thousand
279 inhabitants and with a county seat with more than one thousand but fewer than four thousand
280 inhabitants;

281 (n) Any county with more than twenty-two thousand but fewer than twenty-five
282 thousand inhabitants and with a county seat with more than one thousand nine hundred but
283 fewer than two thousand three hundred inhabitants;

284 (o) Any county with more than thirty thousand but fewer than thirty-five thousand
285 inhabitants and with a county seat with more than two thousand but fewer than three thousand
286 eight hundred inhabitants;

287 (p) Any county with more than eighty thousand but fewer than one hundred thousand
288 inhabitants and with a county seat with more than twenty thousand but fewer than twenty-five
289 thousand inhabitants;

290 (q) Any county with more than thirty-five thousand but fewer than forty thousand
291 inhabitants and with a county seat with more than two thousand but fewer than five thousand
292 inhabitants;

293 (r) Any county with more than twenty-two thousand but fewer than twenty-five
294 thousand inhabitants and with a county seat with more than five hundred but fewer than nine
295 hundred inhabitants;

296 (s) Any county with more than four hundred thousand but fewer than five hundred
297 thousand inhabitants;

298 (t) Any county with more than eleven thousand but fewer than twelve thousand five
299 hundred inhabitants and with a county seat with more than four thousand but fewer than five
300 thousand inhabitants;

301 (u) Any county with more than seven thousand but fewer than eight thousand
302 inhabitants and with a county seat with more than one thousand but fewer than two thousand
303 inhabitants;

304 (v) Any county with more than thirty-five thousand but fewer than forty thousand
305 inhabitants and with a county seat with more than five thousand but fewer than eight thousand
306 inhabitants.

307 2. By no later than the municipal election in April 2026, a county shall place on the
308 ballot a question of whether to grant a property tax credit pursuant to this section to eligible
309 taxpayers residing in such county in an amount equal to the taxpayer's eligible credit amount.
310 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in
311 favor of the proposal, then the credit shall be in effect and the county shall grant such property
312 tax credit to eligible taxpayers residing in such county in an amount equal to the taxpayer's
313 eligible credit amount.

314 3. (1) A county granting a credit pursuant to this section shall apply such credit when
315 calculating the eligible taxpayer's property tax liability for the tax year. The amount of the
316 credit shall be noted on the statement of tax due sent to the eligible taxpayer by the county
317 collector. The county governing body may adopt reasonable procedures in order to carry out
318 the purposes and intent of this section, provided that the county shall not adopt any procedure
319 that limits the definition or scope of eligible credit amount or eligible taxpayer as defined in
320 this section.

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

325 (3) If an eligible taxpayer's homestead is annexed into a taxing jurisdiction to which
326 such eligible taxpayer did not owe real property tax in the eligible taxpayer's initial credit
327 year, then the real property tax liability for the taxpayer's initial credit year shall be increased
328 to reflect the real property tax liability owed to the annexing taxing jurisdiction.

329 4. For the purposes of calculating property tax levies pursuant to section 137.073, the
330 total amount of credits authorized by a county pursuant to this section shall be considered tax
331 revenue, as such term is defined in section 137.073, actually received.

332 5. A county granting a tax credit pursuant to this section shall notify each political
333 subdivision within such county of the total credit amount applicable to such political
334 subdivision by no later than November thirtieth of each year.

335 6. No taxpayer shall be authorized to claim a property tax credit pursuant to this
336 section and section 137.1050 for the same homestead.

163.021. 1. A school district shall receive state aid for its education program only if
2 it:

3 (1) Provides for at least a minimum school term as provided in section 171.031.
4 When the aggregate hours lost in a term due to inclement weather decreases the total hours of
5 the school term below the required minimum number of hours by more than twelve hours for
6 all-day students or six hours for one-half-day kindergarten students, all such hours below the
7 minimum must be made up as provided in section 171.033;

8 (2) Maintains adequate and accurate records of attendance, personnel and finances, as
9 required by the state board of education, which shall include the preparation of a financial
10 statement which shall be submitted to the state board of education the same as required by the
11 provisions of section 165.111 for districts;

12 (3) Levies an operating levy for school purposes of not less than one dollar and
13 twenty-five cents after all adjustments and reductions on each one hundred dollars assessed
14 valuation of the district; and

15 (4) Computes average daily attendance as defined in subdivision (2) of section
16 163.011 as modified by section 171.031. Whenever there has existed within the district an
17 infectious disease, contagion, epidemic, plague or similar condition whereby the school
18 attendance is substantially reduced for an extended period in any school year, the
19 apportionment of school funds and all other distribution of school moneys shall be made
20 on the basis of the school year next preceding the year in which such condition existed.

21 2. **(1)** For the 2006-07 school year and thereafter, no school district shall receive
22 more state aid, as calculated under subsections 1 and 2 of section 163.031, for its education
23 program, exclusive of categorical add-ons, than it received per weighted average daily
24 attendance for the school year 2005-06 from the foundation formula, line 14, gifted, remedial
25 reading, exceptional pupil aid, fair share, and free textbook payment amounts, unless it has an
26 operating levy for school purposes, as determined pursuant to section 163.011, of not less
27 than two dollars and seventy-five cents after all adjustments and reductions **for school years**
28 **ending on or before June 30, 2026. For the 2026-27 school year and all subsequent**
29 **school years, the maximum levy for any school district that imposed a levy of two dollars**
30 **and seventy-five cents in 2026 shall be two dollars and seventy-five cents in 2027 and**
31 **shall be subject to the provisions of Article X, Section 22 of the Constitution of Missouri**
32 **thereafter.**

33 **(2)** Any district which is required, pursuant to Article X, Section 22 of the Missouri
34 Constitution, to reduce its operating levy below the minimum tax rate otherwise required

35 under this subsection shall not be construed to be in violation of this subsection for making
36 such tax rate reduction.

37 **(3)** Pursuant to Section 10(c) of Article X of the state constitution, a school district
38 may levy the operating levy for school purposes required by this subsection less all
39 adjustments required pursuant to Article X, Section 22 of the Missouri Constitution if such
40 rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year.

41 **(4)** Nothing in this section shall be construed to mean that a school district is
42 guaranteed to receive an amount not less than the amount the school district received per
43 eligible pupil for the school year 1990-91.

44 **(5)** The provisions of this subsection shall not apply to any school district located in a
45 county of the second classification which has a nuclear power plant located in such district or
46 to any school district located in a county of the third classification which has an electric
47 power generation unit with a rated generating capacity of more than one hundred fifty
48 megawatts which is owned or operated or both by a rural electric cooperative except that such
49 school districts may levy for current school purposes and capital projects an operating levy
50 not to exceed two dollars and seventy-five cents less all adjustments required pursuant to
51 Article X, Section 22 of the Missouri Constitution.

52 3. No school district shall receive more state aid, as calculated in section 163.031, for
53 its education program, exclusive of categorical add-ons, than it received per eligible pupil for
54 the school year 1993-94, if the state board of education determines that the district was not in
55 compliance in the preceding school year with the requirements of section 163.172, until such
56 time as the board determines that the district is again in compliance with the requirements of
57 section 163.172.

58 4. No school district shall receive state aid, pursuant to section 163.031, if such
59 district was not in compliance, during the preceding school year, with the requirement,
60 established pursuant to section 160.530 to allocate revenue to the professional development
61 committee of the district.

62 5. No school district shall receive more state aid, as calculated in subsections 1 and 2
63 of section 163.031, for its education program, exclusive of categorical add-ons, than it
64 received per weighted average daily attendance for the school year 2005-06 from the
65 foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and
66 free textbook payment amounts, if the district did not comply in the preceding school year
67 with the requirements of subsection 5 of section 163.031.

68 6. Any school district that levies an operating levy for school purposes that is less
69 than the performance levy, as such term is defined in section 163.011, shall provide written
70 notice to the department of elementary and secondary education asserting that the district is
71 providing an adequate education to the students of such district. If a school district asserts

72 that it is not providing an adequate education to its students, such inadequacy shall be deemed
73 to be a result of insufficient local effort. The provisions of this subsection shall not apply to
74 any special district established under sections 162.815 to 162.940.

Section B. If any provision of this act or the application thereof to any person or
2 circumstance is held invalid, such determination shall not affect the provisions or applications
3 of this act which may be given effect without the invalid provision or application, and to that
4 end the provisions of this act are severable.

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