

SECOND REGULAR SESSION

# HOUSE BILL NO. 1489

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES McCAHERTY (Sponsor), CROSS, NETH, FITZWATER, BERRY, McGHEE, LICHTENEGGER, CASEY, ZERR, WRIGHT, NANCE, RIZZO, BURLISON, HOLSMAN, CARTER, GRISAMORE, SMITH (150), NASHEED, NOLTE, WIELAND, MEADOWS, ATKINS AND ROWLAND (Co-sponsors).

4428L.02I

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 137, RSMo, by adding thereto one new section relating to property taxation.

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

Section A. Chapter 137, RSMo, is amended by adding thereto one new section, to be known as section 137.102, to read as follows:

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

**(1) "Homestead beneficiary", a person who has reached the age of sixty-seven years as of January first of the determining odd-numbered year and whose total household income does not exceed forty thousand dollars;**

**(2) "Homestead property", the owner's principal residence and the adjacent real property not to exceed five acres of land as is reasonably necessary for use of the residence as a dwelling home;**

**(3) "Owner", a person who holds possession and unconditional fee simple title in the subject residential property, whether individually, or as one or more tenants by the entireties, joint tenants, or tenants in common, and who declared ownership of the property on each of the ten immediately preceding annual property declaration statements, and who actually paid the ten immediately preceding annual property tax assessments.**

**2. For all tax years beginning on or after January 1, 2013, the assessed value of all homestead property in class 1, excluding any value added by new construction or improvements, owned by any owner who is a homestead beneficiary and who has continuously used that property as a principal residence for at least the ten immediately**

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.

17 preceding years shall not increase, nor shall the percentage of increase in any amount due  
18 and owing for any real property tax exceed the percentage of increase over the previous  
19 year in the Consumer Price Index for All Urban Consumers as prepared by the United  
20 States Bureau of Labor Statistics, or its successor index, during the period of time that  
21 owner resides on that property after becoming a homestead beneficiary. Status as a  
22 homestead beneficiary and years of residence for purposes of this section shall be  
23 determined as of January first of each odd-numbered year; the owner shall provide such  
24 information by affidavit by such date to the county assessor.

25         3. The tax rate or rates imposed upon homestead property whose owner meets the  
26 conditions specified in subsection 2 of this section shall not be increased with respect to  
27 such property until the owner moves, sells the property, or fails to notify the assessor of  
28 continued eligibility under subsection 2 of this section.

29         4. No owner who is eligible for both the credit authorized under sections 135.010  
30 to 135.035 and the limitation on assessed valuation and the prohibition on property tax  
31 increases provided under this section shall claim a benefit under both programs, but each  
32 eligible owner may file a claim for the program provided under such sections that provides  
33 the greatest benefit to the owner.

34         5. All revenue losses of any political subdivision resulting from the limitation on  
35 assessed valuations contained in this section shall be reimbursed to those political  
36 subdivisions by the state of Missouri through appropriations. Data substantiating revenue  
37 losses resulting from the limitation on assessed valuations as contained in this section shall  
38 be provided to the state auditor in such form as shall be prescribed by the state auditor by  
39 rule promulgated under chapter 536. The required data shall be submitted for each  
40 political subdivision levying a property tax and shall be submitted by either the county or  
41 the individual taxing authority as requested by the state auditor. Calculation or  
42 verification of the revenue loss shall be determined by the state auditor subsequent to the  
43 annual property tax rate review completed under section 137.073. All data and documents  
44 substantiating the revenue loss for each political subdivision shall be copied to each county  
45 clerk respectively and shall be retained and made available for public inspection by the  
46 county for a minimum of three years. Whenever a taxpayer in a taxing jurisdiction has  
47 cause to believe that the taxing jurisdiction has not complied with this section, the taxpayer  
48 shall have legal standing to bring a civil action to determine and require compliance with  
49 this section.

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