

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 72

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GRIFFITH.

3317H.01I

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Section 6 of Article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to property tax exemptions.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2022, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article X of the Constitution of the state of Missouri:

Section A. Section 6, Article X, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as Section 6, to read as follows:

Section 6. 1. **(1) As used in this subsection, the term "disabled veteran" means an individual who:**

- (a) Is a resident of this state;**
- (b) Has been separated under honorable conditions from active service in:**
 - a. Any branch of the Armed Forces of the United States;**
 - b. Any reserve component of the Armed Forces of the United States;**
 - c. The National Guard of this state as defined in 32 U.S.C. Section 101, as amended; or**
 - d. Any defense force of this state as described in 32 U.S.C. Section 109, as amended; and**

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.

11 (c) **Has been certified by the United States Department of Veterans Affairs or its**
12 **successor agency to be in receipt of disability compensation at the one hundred percent**
13 **rate as a result of a service-connected disability claim allowed by the United States**
14 **Department of Veterans Affairs, with such disability being permanent and sustained**
15 **through military action or accident or resulting from disease contracted while in such**
16 **active service.**

17 (2) All property, real and personal, of the state, counties and other political
18 subdivisions, and nonprofit cemeteries, ~~[and]~~ all real property used as a homestead as defined
19 by law of any citizen of this state who is a former prisoner of war, as defined by law~~[-and~~
20 ~~who has a total service-connected disability]~~, **and all real property used as a homestead as**
21 **defined by law of any disabled veteran** shall be exempt from taxation; all personal property
22 held as industrial inventories, including raw materials, work in progress and finished work on
23 hand, by manufacturers and refiners, and all personal property held as goods, wares,
24 merchandise, stock in trade or inventory for resale by distributors, wholesalers, or retail
25 merchants or establishments shall be exempt from taxation; and all property, real and
26 personal, not held for private or corporate profit and used exclusively for religious worship,
27 for schools and colleges, for purposes purely charitable, for agricultural and horticultural
28 societies, or for veterans' organizations may be exempted from taxation by general law. In
29 addition to the above, household goods, furniture, wearing apparel and articles of personal use
30 and adornment owned and used by a person in his home or dwelling place may be exempt
31 from taxation by general law but any such law may provide for approximate restitution to the
32 respective political subdivisions of revenues lost by reason of the exemption. All laws
33 exempting from taxation property other than the property enumerated in this article, shall be
34 void. The provisions of this section exempting certain personal property of manufacturers,
35 refiners, distributors, wholesalers, and retail merchants and establishments from taxation shall
36 become effective, unless otherwise provided by law, in each county on January 1 of the year
37 in which that county completes its first general reassessment as defined by law.

38 2. All revenues lost because of the exemption of certain personal property of
39 manufacturers, refiners, distributors, wholesalers, and retail merchants and establishments
40 shall be replaced to each taxing authority within a county from a countywide tax hereby
41 imposed on all property in subclass 3 of class 1 in each county. For the year in which the
42 exemption becomes effective, the county clerk shall calculate the total revenue lost by all
43 taxing authorities in the county and extend upon all property in subclass 3 of class 1 within
44 the county, a tax at the rate necessary to produce that amount. The rate of tax levied in each
45 county according to this subsection shall not be increased above the rate first imposed and
46 will stand levied at that rate unless later reduced according to the provisions of subsection 3.
47 The county collector shall disburse the proceeds according to the revenue lost by each taxing

48 authority because of the exemption of such property in that county. Restitution of the
49 revenues lost by any taxing district contained in more than one county shall be from the
50 several counties according to the revenue lost because of the exemption of property in each
51 county. Each year after the first year the replacement tax is imposed, the amount distributed
52 to each taxing authority in a county shall be increased or decreased by an amount equal to the
53 amount resulting from the change in that district's total assessed value of property in subclass
54 3 of class 1 at the countywide replacement tax rate. In order to implement the provisions of
55 this subsection, the limits set in section 11(b) of this article may be exceeded, without voter
56 approval, if necessary to allow each county listed in section 11(b) to comply with this
57 subsection.

58 3. Any increase in the tax rate imposed pursuant to subsection 2 of this section shall
59 be decreased if such decrease is approved by a majority of the voters of the county voting on
60 such decrease. A decrease in the increased tax rate imposed under subsection 2 of this section
61 may be submitted to the voters of a county by the governing body thereof upon its own order,
62 ordinance, or resolution and shall be submitted upon the petition of at least eight percent of
63 the qualified voters who voted in the immediately preceding gubernatorial election.

64 4. As used in this section, the terms "revenues lost" and "lost revenues" shall mean
65 that revenue which each taxing authority received from the imposition of a tangible personal
66 property tax on all personal property held as industrial inventories, including raw materials,
67 work in progress and finished work on hand, by manufacturers and refiners, and all personal
68 property held as goods, wares, merchandise, stock in trade or inventory for resale by
69 distributors, wholesalers, or retail merchants or establishments in the last full tax year
70 immediately preceding the effective date of the exemption from taxation granted for such
71 property under subsection 1 of this section, and which was no longer received after such
72 exemption became effective.

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