

FIRST REGULAR SESSION

HOUSE BILL NO. 1260

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE OTTO.

2339L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

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

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 137.104, to read as follows:

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

(1) "Homestead", the taxpayer'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;

(2) "Owner", a person who is permanently disabled or has reached the age of sixty-five years as of January first of the determining odd-numbered year and 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 three immediately preceding annual property declaration statements, who actually paid the three immediately preceding annual property tax assessments, and whose total household income does not exceed fifty thousand dollars.

2. For all assessment years beginning on or after January 1, 2017, the assessed valuation of an owner's homestead, excluding any value added by new construction or improvements, shall not increase during the period of time that owner resides on that homestead after reaching sixty-five years of age or after becoming permanently disabled. Status as an owner for purposes of this section shall be determined as of January first of

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.

18 each odd-numbered year, and the owner shall provide such information by affidavit by
19 such date to the county assessor.

20 3. The tax rate or rates imposed upon a homestead whose owner meets the
21 conditions specified in subsection 2 of this section shall not be increased with respect to
22 such homestead until the owner moves, sells the property, or fails to notify the assessor of
23 continued eligibility under subsection 2 of this section. The amount of property taxes that
24 an owner is exempted from paying as a result of the limitation on assessed valuations under
25 this section shall become due and payable upon the death of the owner or upon the sale of
26 the homestead by the owner.

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

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