

FIRST REGULAR SESSION

HOUSE BILL NO. 32

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE VILLA.

Pre-filed December 2, 2002, and copies ordered printed.

TED WEDEL, Chief Clerk

0129L.011

AN ACT

To repeal section 137.505, RSMo, and to enact in lieu thereof one new section relating to taxable tangible personal property assessment lists.

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

Section A. Section 137.505, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 137.505, to read as follows:

137.505. [If any person, corporation, partnership or association shall fail to file a return as required by sections 137.485 to 137.550, the assessor shall ascertain the true amount and value of the taxable tangible personal property of such person, corporation, partnership or association on the best information available to him and shall assess said property at twenty-five percent above its value] **1. If any person, corporation, partnership, or association neglects or refuses to deliver an itemized statement or list of all the taxable tangible personal property signed and certified by the taxpayer by the first day of April, they shall be assessed a penalty added to the tax bill, based on the assessed value of the property that was not reported, as follows:**

Assessed Valuation	Penalty
0-\$1,000	\$ 10.00
\$1,001-\$2,000	\$ 20.00
\$2,001-\$3,000	\$ 30.00
\$3,001-\$4,000	\$ 40.00
\$4,001-\$5,000	\$ 50.00
\$5,001-\$6,000	\$ 60.00

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

17	\$6,001-\$7,000	\$ 70.00
18	\$7,001-\$8,000	\$ 80.00
19	\$8,001-\$9,000	\$ 90.00
20	\$9,001 and above	\$100.00.

21

22 **The assessor shall omit assessing the penalty in any case where the assessor is satisfied the**
23 **neglect falls into at least one of the following categories:**

24 **(1) The taxpayer is in military service and is outside the state;**

25 **(2) The taxpayer filed timely, but in the wrong county;**

26 **(3) There was a loss of records due to fire, theft, fraud, or flood;**

27 **(4) The taxpayer can show the list was mailed timely as evidenced by the date of**
28 **postmark;**

29 **(5) The assessor determines that no form for listing personal property was mailed**
30 **to the taxpayer for that tax year; or**

31 **(6) The neglect occurred as a direct result of the actions or inactions of the city or**
32 **its employees or contractors.**

33 **2. It shall be the duty of the assessor to place on the assessment rolls for the year**
34 **all property discovered in the calendar year which was taxable on January first of that**
35 **year.**

36 **3. Between April first and May first, the assessor shall send to each taxpayer who**
37 **was sent an assessment list for the current tax year, and said list was not returned to the**
38 **assessor, a second notice that statutes require that the assessment list be returned**
39 **immediately. In the event the taxpayer returns the assessment list to the assessor before**
40 **June first, the penalty described in subsection 1 of this section shall not apply. If said**
41 **assessment list is not returned before June first by the taxpayer, the penalty shall apply.**

42 **4. The assessor, in the absence of the owner failing to deliver a required list of**
43 **property, is not required to furnish to the owner a duplicate of the assessment as made.**

44 **5. In every instance where a taxpayer has appealed to the board of equalization or**
45 **the state tax commission the assessment of the taxpayer's property, real or personal, and**
46 **that appeal has been successful, then in the next following and all subsequent years the**
47 **basis upon which the assessor must base future assessments of the subject property shall**
48 **be the basis established by the successful appeal and any increases must be established**
49 **from that basis.**