

HOUSE BILL NO. 517

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LEMBKE, PORTWOOD, ROARK, AVERY, GREEN, JETTON, BAKER, BEARDEN, HANAWAY, EL-AMIN, HUBBARD, CORCORAN, SCHNEIDER, BIVINS, STEFANICK, ERVIN, SCHAAF, BRUNS (Co-sponsors), CROWELL, MILLER, LUETKEMEYER, DEMPSEY, PURGASON, HUNTER, TOWNLEY, KELLY (144), MAYER, BYRD, BLACK, LIPKE, MYERS, PARKER, DIXON, QUINN, DAVIS (122), SCHOEMEHL, SALVA, ST. ONGE, SMITH (14), RUPP, LAGER, WRIGHT, ENGLER, JACKSON, MORRIS, KING, TAYLOR, SUTHERLAND, SPRENG, RICHARD, WARD, JONES, SELBY, DOUGHERTY, VOGT, YATES, MUNZLINGER, DARROUGH, HENKE, GOODMAN, RUESTMAN, BEAN, THRELKELD, KINGERY, GUEST, PEARCE, SANDER, CUNNINGHAM (145), HOBBS, RECTOR, MERIDETH, WASSON, DEEKEN, MOORE, CRAWFORD, SHOEMAKER (8), MAY, WILSON (119), BOUGH ,DETHROW AND HAMPTON.

Read 1st time February 19, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1169L.011

AN ACT

To amend chapter 137, RSMo, by adding thereto one new section relating to taxation of real property, with an emergency clause.

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 137.106, to read as follows:

137.106. 1. This act shall be known and may be cited as "The Missouri Homestead Preservation Act".

2. Notwithstanding any provision of law to the contrary, the assessed value of primary residential property, excluding any value added by new construction or improvements, which is owned by any person who is sixty-five years of age or older and who has used the property as a homestead for a period of at least five years, shall not increase during the period of time the person resides on that property after attaining the age of sixty-five years. Age and years of residence for purposes of this section shall be determined as of January first of each odd-numbered year; provided, however, that such information shall be provided by affidavit of the owner of homestead property by such date to the county assessor.

3. No person claiming a homestead exemption pursuant to this section shall be

13 eligible to claim the property tax credit allowed in sections 135.010 to 135.035, RSMo, and
14 no person claiming the property tax credit allowed in sections 135.010 to 135.035, RSMo,
15 shall be eligible to claim the homestead exemption pursuant to this section.

16 4. No person with a household combined adjusted gross income of more than
17 seventy-five thousand dollars shall be eligible to claim the homestead exemption allowed
18 pursuant to this section.

19 5. The state tax commission shall promulgate rules and regulations to administer
20 this section in accordance with the intent of the general assembly that this section be
21 construed liberally to promote maximum property tax relief for persons sixty-five years
22 of age and older. No rule or portion of a rule promulgated pursuant to the authority of this
23 section shall become effective unless it has been promulgated pursuant to chapter 536,
24 RSMo.

25 6. The general assembly may appropriate moneys from the general revenue fund
26 so that any political subdivision losing revenue during the time the assessed value on the
27 real property was exempt pursuant to this section shall receive proportional restitution,
28 based on the ratio the tax levy of each subdivision bears to the total tax levy between the
29 time the exemption was granted pursuant to this section and the assessment value at the
30 time of the sale.

31 7. This section shall become effective January 1, 2004, and shall apply to all taxable
32 years beginning after December 31, 2003.

Section B. Because immediate action is necessary to provide property tax relief for the
2 senior citizens of this state, section A of this act is deemed necessary for the immediate
3 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an
4 emergency act within the meaning of the constitution, and section A of this act shall be in full
5 force and effect upon its passage and approval.