

HOUSE _____ AMENDMENT NO. _____

Offered By _____

AMEND House Committee Substitute for Senate Bill No. 207, Page 16, Section 137.115, Line 172, by inserting after all of said line the following:

"17. (1) As used in this subsection, the following terms mean:

(a) "Disabled", totally and permanently disabled or blind and receiving federal Social Security disability benefits, federal supplemental security income benefits, veterans administration benefits, state blind pension under sections 209.010 to 209.160, state aid to blind persons under section 209.240, or state supplemental payments under section 208.030;

(b) "Maximum upper limit", in the calendar year 2012, the federal adjusted gross income sum of seventy-two thousand three hundred eighty dollars. In each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined under section 17, article X, of the Missouri Constitution;

(c) "Principal residence", real property owned and occupied by or held in trust for a qualified taxpayer, or owned and occupied jointly by or held in trust for any individuals, any of whom is a qualified taxpayer;

(d) "Qualified taxpayer", any individual who:

a. Owns and occupies a principal residence;

b. Is sixty-five years of age or older, or is disabled;

c. Had a federal adjusted gross income not exceeding the maximum upper limit in the year before becoming qualified under this subsection.

(2) Notwithstanding any other provision of law to the contrary, for all property assessments conducted after December 31, 2011, the assessed valuation of a principal residence shall not increase by a percentage greater than the cost-of-living increase in Social Security benefits in the previous year, except as otherwise provided in this subsection, in any assessment conducted after the qualified taxpayer has reached sixty-five years of age or has become disabled.

(3) This subsection shall not apply to any increase in the assessed valuation of a principal residence due to an improvement made on the principal residence, unless the improvement was made solely for increased accessibility for individuals with physical disabilities.

(4) This subsection shall not apply to any increase in the assessed valuation of a principal residence after the conveyance of the principal residence to another individual who is not a

1 qualified taxpayer. The assessed valuation of such principal residence shall be the assessed
2 valuation as provided in subsections 1 to 16 of this section in the next annual assessment.

3 (5) Upon reaching sixty-five years of age, information regarding the age and income of
4 qualified taxpayers that own and occupy a principal residence in this state shall be provided to the
5 county assessor by affidavit by the owner of the real property before the next assessment is
6 conducted to be eligible for assessment under this subsection. Any qualified taxpayer who is
7 disabled or becomes disabled before the next assessment is conducted shall provide by affidavit
8 proof of disability to the county assessor to claim assessment under this subsection. All qualified
9 taxpayers claiming assessment under this subsection shall annually file such affidavit before the
10 next assessment is conducted to be eligible for assessment under this subsection. Such affidavit
11 shall clearly contain an acceptable standard of proof to reasonably determine whether the person
12 submitting the affidavit is a qualified taxpayer. The state tax commission shall develop and make
13 available to assessors a form for such affidavit and a method for assessors to determine the proper
14 percentage of increase for such property owned by a qualified taxpayer that files such affidavit.

15 (6) The state tax commission may promulgate rules to implement the provisions of this
16 subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
17 under the authority delegated in this section shall become effective only if it complies with and is
18 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
19 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant
20 to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
21 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
22 or adopted after August 28, 2011, shall be invalid and void.

23 (7) Under section 23.253 of the Missouri sunset act:

24 (a) The provisions of the new program authorized under this subsection shall
25 automatically sunset on December thirty-first six years after the effective date of this subsection
26 unless reauthorized by an act of the general assembly; and

27 (b) If such program is reauthorized, the program authorized under this subsection shall
28 automatically sunset on December thirty-first twelve years after the effective date of the
29 reauthorization of this subsection; and

30 (c) This subsection shall terminate on September first of the calendar year immediately
31 following the calendar year in which the program authorized under this subsection is sunset.” ;

32 and

33
34 Further amend said bill by amending the title, enacting clause, and intersectional references
35 accordingly.