

HOUSE _____ AMENDMENT NO. _____

Offered By _____

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 591,
Page 18, Section 137.115, Line 173, 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 2013, 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) a. "Qualified taxpayer", any individual owner of property who is sixty-five years old or older as of January first of the tax year in which the assessed valuation on the individual's principal residence is not increased as provided in this subsection, or who is disabled, and who had an income of equal to or less than the maximum upper limit in the year before the assessed valuation is not increased as provided in this subsection; or

(i) In the case of a married couple owning property either jointly or as tenants by the entirety, or where only one spouse owns the property, such couple shall be considered a qualified taxpayer if both spouses have reached the age of sixty-five or if one spouse is disabled, or if one spouse is at least sixty-five years old and the other spouse is at least sixty years old, and the combined income of the couple in the year before the assessed valuation is not increased as provided in this subsection did not exceed the maximum upper limit; or

(ii) In the case of joint ownership by unmarried persons or ownership by tenancy in common by two or more unmarried persons, such owners shall be considered a qualified taxpayer

1 if each person with an ownership interest individually satisfies the eligibility requirements for an
2 individual qualified taxpayer under this section and the combined income of all individuals with
3 an interest in the property is equal to or less than the maximum upper limit in the year before the
4 assessed valuation is not increased as provided in this subsection. If any individual with an
5 ownership interest in the property fails to satisfy the eligibility requirements of an individual
6 qualified taxpayer or if the combined income of all individuals with interest in the property
7 exceeds the maximum upper limit, then all individuals with an ownership interest in such property
8 shall be deemed unqualified taxpayers regardless of such other individual's ability to individually
9 meet the eligibility requirements; or

10 (iii) In the case of property held in trust, the qualified taxpayer and beneficiary of the
11 freeze on assessed valuation provided in this subsection shall be the trust itself, provided the
12 previous owner of the homestead or the previous owner's spouse is the settlor of the trust with
13 respect to the homestead, currently resides in such homestead, and but for the transfer of such
14 property would have satisfied the age, ownership, and maximum upper limit requirements for
15 income.

16 b. No individual shall be a qualified taxpayer if the individual has not paid the individual's
17 property tax liability, if any, in full by the payment due date in any of the three prior tax years,
18 except that a late payment of a property tax liability in any prior year shall not disqualify a
19 potential qualified taxpayer if such owner paid in full the tax liability and any and all penalties,
20 additions, and interest that arose as a result of such late payment. No individual shall be a
21 qualified taxpayer if such individual filed a valid claim for the senior citizens property tax relief
22 credit under sections 135.010 to 135.035.

23 (2) Notwithstanding any other provision of law to the contrary, for all property
24 assessments conducted after December 31, 2012, the assessed valuation of a principal residence
25 shall not increase by a percentage greater than the percentage of increase in the qualified
26 taxpayer's Social Security benefits in the previous year, except as otherwise provided in this
27 subsection, in any assessment conducted after the qualified taxpayer has reached sixty-five years
28 of age or has become disabled.

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

32 (4) This subsection shall not apply to any increase in the assessed valuation of a principal
33 residence after the conveyance of the principal residence to another individual who is not a
34 qualified taxpayer. The assessed valuation of such principal residence shall be the assessed
35 valuation as provided in subsections 1 to 16 of this section in the next annual assessment.

36 (5) Upon reaching sixty-five years of age, information regarding the age of property

1 owners subject to this subsection shall be provided to the county assessor by affidavit of the
2 owner of the real property before the next assessment is conducted. Any qualified taxpayer who is
3 disabled or becomes disabled before the next assessment is conducted shall provide proof of
4 disability to the county assessor.

5 (6) The state auditor may promulgate rules to implement the provisions of this subsection.
6 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
7 authority delegated in this section shall become effective only if it complies with and is subject to
8 all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter
9 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
10 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
11 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
12 or adopted after August 28, 2012, shall be invalid and void.

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

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

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

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

23
24 Further amend said bill by amending the title, enacting clause, and intersectional references
25 accordingly.