

SECOND REGULAR SESSION

# HOUSE BILL NO. 1119

## 97TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LAFAYER.

4645L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 135.025 and 135.030, RSMo, and to enact in lieu thereof two new sections relating to senior citizens property tax relief.

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

Section A. Sections 135.025 and 135.030, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 135.025 and 135.030, to read as follows:

135.025. **1. Except as provided in subsection 2 of this section,** the property taxes accrued and rent constituting property taxes accrued on each return shall be totaled. This total, up to seven hundred fifty dollars in rent constituting property taxes actually paid or eleven hundred dollars in actual property tax paid, shall be used in determining the property tax credit. The director of revenue shall prescribe regulations providing for allocations where part of a claimant's homestead is rented to another or used for nondwelling purposes or where a homestead is owned or rented or used as a dwelling for part of a year.

**2. For all calendar years beginning on or after January 1, 2015, the amounts of the property taxes accrued and rent constituting property taxes accrued that are totaled on each return under this section and used to determine the property tax credit shall not exceed nine hundred thirty-seven dollars and fifty cents in rent constituting property taxes actually paid or one thousand three hundred seventy-five dollars in actual property tax paid.**

135.030. 1. As used in this section:

(1) The term "maximum upper limit" shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of twenty-five thousand dollars. For all calendar years beginning on or after January 1, 2008, the maximum upper limit shall be the sum 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.

5 twenty-seven thousand five hundred dollars. In the case of a homestead owned and occupied for  
6 the entire year by the claimant, the maximum upper limit shall be the sum of thirty thousand  
7 dollars;

8 (2) The term "minimum base" shall, for each calendar year after December 31, 1997, but  
9 before calendar year 2008, be the sum of thirteen thousand dollars. For all calendar years  
10 beginning on or after January 1, 2008, the minimum base shall be the sum of fourteen thousand  
11 three hundred dollars.

12 2. If the income on a return is equal to or less than the maximum upper limit for the  
13 calendar year for which the return is filed, the property tax credit shall be determined from a table  
14 of credits based upon the amount by which the total property tax described in section 135.025  
15 exceeds the percent of income in the following list:

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17 If the income on the return is:	The percent is:
18 Not over the minimum base	0 percent with credit
19	not to exceed [\$1,100] <b>\$1,375</b>
20	in actual property tax
21	or rent equivalent paid
22	up to [\$750] <b>\$937.50</b>
23 Over the minimum base but	1/16 percent accumula-
24 not over the maximum upper	tive per \$300 from limit
25	0 percent to 4 percent.

26

27 The director of revenue shall prescribe a table based upon the preceding sentences. The property  
28 tax shall be in increments of twenty-five dollars and the income in increments of three hundred  
29 dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the  
30 basis of the property tax and income at the midpoints of each increment. As used in this  
31 subsection, the term "accumulative" means an increase by continuous or repeated application of  
32 the percent to the income increment at each three hundred dollar level.

33 3. Notwithstanding subsection 4 of section 32.057, the department of revenue or any  
34 duly authorized employee or agent shall determine whether any taxpayer filing a report or return  
35 with the department of revenue who has not applied for the credit allowed pursuant to section  
36 135.020 may qualify for the credit, and shall notify any qualified claimant of the claimant's  
37 potential eligibility, where the department determines such potential eligibility exists.

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