

SECOND REGULAR SESSION

HOUSE BILL NO. 2035

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LEARA (Sponsor) AND KOENIG (Co-sponsor).

6225H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 137.100, RSMo, and to enact in lieu thereof one new section relating to property exempt from taxation.

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

Section A. Section 137.100, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 137.100, to read as follows:

137.100. The following subjects are exempt from taxation for state, county or local purposes:

(1) Lands and other property belonging to this state;

(2) Lands and other property belonging to any city, county or other political subdivision in this state, including market houses, town halls and other public structures, with their furniture and equipments, and on public squares and lots kept open for health, use or ornament;

(3) Nonprofit cemeteries;

(4) The real estate and tangible personal property which is used exclusively for agricultural or horticultural societies organized in this state, including not-for-profit agribusiness associations;

(5) All property, real and personal, actually and regularly used exclusively for religious worship, for schools and colleges, or for purposes purely charitable and not held for private or corporate profit, except that the exemption herein granted does not include real property not actually used or occupied for the purpose of the organization but held or used as investment even though the income or rentals received therefrom is used wholly for religious, educational or charitable purposes. **For purposes of this section, property used for charitable purposes includes homes for the aged operated by an organization that is exempt from taxation**

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.

18 **under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and is consistent**
19 **with Internal Revenue Service revenue ruling 72-124, if applicable, for as long as such**
20 **ruling is in effect;**

21 (6) Household goods, furniture, wearing apparel and articles of personal use and
22 adornment, as defined by the state tax commission, owned and used by a person in his home or
23 dwelling place;

24 (7) Motor vehicles leased for a period of at least one year to this state or to any city,
25 county, or political subdivision or to any religious, educational, or charitable organization which
26 has obtained an exemption from the payment of federal income taxes, provided the motor
27 vehicles are used exclusively for religious, educational, or charitable purposes;

28 (8) Real or personal property leased or otherwise transferred by an interstate compact
29 agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to 238.100 to another
30 for which or whom such property is not exempt when immediately after the lease or transfer, the
31 interstate compact agency enters into a leaseback or other agreement that directly or indirectly
32 gives such interstate compact agency a right to use, control, and possess the property; provided,
33 however, that in the event of a conveyance of such property, the interstate compact agency must
34 retain an option to purchase the property at a future date or, within the limitations period for
35 reverters, the property must revert back to the interstate compact agency. Property will no longer
36 be exempt under this subdivision in the event of a conveyance as of the date, if any, when:

37 (a) The right of the interstate compact agency to use, control, and possess the property
38 is terminated;

39 (b) The interstate compact agency no longer has an option to purchase or otherwise
40 acquire the property; and

41 (c) There are no provisions for reverter of the property within the limitation period for
42 reverters;

43 (9) All property, real and personal, belonging to veterans' organizations. As used in this
44 section, "veterans' organization" means any organization of veterans with a congressional charter,
45 that is incorporated in this state, and that is exempt from taxation under section 501(c)(19) of the
46 Internal Revenue Code of 1986, as amended;

47 (10) Solar energy systems not held for resale.

✓