

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

**Offered By**

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1 AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 735, Page 1,  
2 Section A, Line 3, by inserting after all of said section and line the following:

3  
4 "137.073. 1. As used in this section, the following terms mean:

5 (1) "General reassessment", changes in value, entered in the assessor's books, of a  
6 substantial portion of the parcels of real property within a county resulting wholly or partly from  
7 reappraisal of value or other actions of the assessor or county equalization body or ordered by the  
8 state tax commission or any court;

9 (2) "Tax rate", "rate", or "rate of levy", singular or plural, includes the tax rate for each  
10 purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax  
11 rate authorized by election, including bond interest and sinking fund;

12 (3) "Tax rate ceiling", a tax rate as revised by the taxing authority to comply with the  
13 provisions of this section or when a court has determined the tax rate; except that, other provisions  
14 of law to the contrary notwithstanding, a school district may levy the operating levy for school  
15 purposes required for the current year pursuant to subsection 2 of section 163.021, less all  
16 adjustments required pursuant to Article X, Section 22 of the Missouri Constitution, if such tax rate  
17 does not exceed the highest tax rate in effect subsequent to the 1980 tax year. This is the maximum  
18 tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political  
19 subdivision as provided in this section;

20 (4) "Tax revenue", when referring to the previous year, means the actual receipts from ad  
21 valorem levies on all classes of property, including state-assessed property, in the immediately  
22 preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected  
23 in the fiscal year and plus an additional allowance for the revenue which would have been collected  
24 from property which was annexed by such political subdivision but which was not previously used  
25 in determining tax revenue pursuant to this section. The term "tax revenue" shall not include any  
26 receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these  
27 terms are defined in section 386.020, which were assessed by the assessor of a county or city in the  
28 previous year but are assessed by the state tax commission in the current year. All school districts  
29 and those counties levying sales taxes pursuant to chapter 67 shall include in the calculation of tax  
30 revenue an amount equivalent to that by which they reduced property tax levies as a result of sales

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1 tax pursuant to section 67.505 and section 164.013 [~~or as excess home dock city or county fees as~~  
2 ~~provided in subsection 4 of section 313.820~~] in the immediately preceding fiscal year but not  
3 including any amount calculated to adjust for prior years. For purposes of political subdivisions  
4 which were authorized to levy a tax in the prior year but which did not levy such tax or levied a  
5 reduced rate, the term "tax revenue", as used in relation to the revision of tax levies mandated by  
6 law, shall mean the revenues equal to the amount that would have been available if the voluntary  
7 rate reduction had not been made.

8         2. Whenever changes in assessed valuation are entered in the assessor's books for any  
9 personal property, in the aggregate, or for any subclass of real property as such subclasses are  
10 established in Section 4(b) of Article X of the Missouri Constitution and defined in section 137.016,  
11 the county clerk in all counties and the assessor of St. Louis City shall notify each political  
12 subdivision wholly or partially within the county or St. Louis City of the change in valuation of each  
13 subclass of real property, individually, and personal property, in the aggregate, exclusive of new  
14 construction and improvements. All political subdivisions shall immediately revise the applicable  
15 rates of levy for each purpose for each subclass of real property, individually, and personal property,  
16 in the aggregate, for which taxes are levied to the extent necessary to produce from all taxable  
17 property, exclusive of new construction and improvements, substantially the same amount of tax  
18 revenue as was produced in the previous year for each subclass of real property, individually, and  
19 personal property, in the aggregate, except that the rate shall not exceed the greater of the most  
20 recent voter-approved rate or the most recent voter-approved rate as adjusted under subdivision (2)  
21 of subsection 5 of this section. Any political subdivision that has received approval from voters for  
22 a tax increase after August 27, 2008, may levy a rate to collect substantially the same amount of tax  
23 revenue as the amount of revenue that would have been derived by applying the voter-approved  
24 increased tax rate ceiling to the total assessed valuation of the political subdivision as most recently  
25 certified by the city or county clerk on or before the date of the election in which such increase is  
26 approved, increased by the percentage increase in the consumer price index, as provided by law,  
27 except that the rate shall not exceed the greater of the most recent voter-approved rate or the most  
28 recent voter-approved rate as adjusted under subdivision (2) of subsection 5 of this section. Such  
29 tax revenue shall not include any receipts from ad valorem levies on any real property which was  
30 assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a  
31 county or city in the current year in a different subclass of real property. Where the taxing authority  
32 is a school district for the purposes of revising the applicable rates of levy for each subclass of real  
33 property, the tax revenues from state-assessed railroad and utility property shall be apportioned and  
34 attributed to each subclass of real property based on the percentage of the total assessed valuation of  
35 the county that each subclass of real property represents in the current [~~taxable~~] tax year. As  
36 provided in Section 22 of Article X of the constitution, a political subdivision may also revise each  
37 levy to allow for inflationary assessment growth occurring within the political subdivision. The  
38 inflationary growth factor for any such subclass of real property or personal property shall be  
39 limited to the actual assessment growth in such subclass or class, exclusive of new construction and

1 improvements, and exclusive of the assessed value on any real property which was assessed by the  
2 assessor of a county or city in the current year in a different subclass of real property, but not to  
3 exceed the consumer price index or five percent, whichever is lower. Should the tax revenue of a  
4 political subdivision from the various tax rates determined in this subsection be different than the  
5 tax revenue that would have been determined from a single tax rate as calculated pursuant to the  
6 method of calculation in this subsection prior to January 1, 2003, then the political subdivision shall  
7 revise the tax rates of those subclasses of real property, individually, and/or personal property, in the  
8 aggregate, in which there is a tax rate reduction, pursuant to the provisions of this subsection. Such  
9 revision shall yield an amount equal to such difference and shall be apportioned among such  
10 subclasses of real property, individually, and/or personal property, in the aggregate, based on the  
11 relative assessed valuation of the class or subclasses of property experiencing a tax rate reduction.  
12 Such revision in the tax rates of each class or subclass shall be made by computing the percentage of  
13 current year adjusted assessed valuation of each class or subclass with a tax rate reduction to the  
14 total current year adjusted assessed valuation of the class or subclasses with a tax rate reduction,  
15 multiplying the resulting percentages by the revenue difference between the single rate calculation  
16 and the calculations pursuant to this subsection and dividing by the respective adjusted current year  
17 assessed valuation of each class or subclass to determine the adjustment to the rate to be levied upon  
18 each class or subclass of property. The adjustment computed herein shall be multiplied by one  
19 hundred, rounded to four decimals in the manner provided in this subsection, and added to the initial  
20 rate computed for each class or subclass of property. For school districts that levy separate tax rates  
21 on each subclass of real property and personal property in the aggregate, if voters approved a ballot  
22 before January 1, 2011, that presented separate stated tax rates to be applied to the different  
23 subclasses of real property and personal property in the aggregate, or increases the separate rates  
24 that may be levied on the different subclasses of real property and personal property in the aggregate  
25 by different amounts, the tax rate that shall be used for the single tax rate calculation shall be a  
26 blended rate, calculated in the manner provided under subdivision (1) of subsection 6 of this section.  
27 Notwithstanding any provision of this subsection to the contrary, no revision to the rate of levy for  
28 personal property shall cause such levy to increase over the levy for personal property from the prior  
29 year.

30 3. (1) Where the taxing authority is a school district, it shall be required to revise the rates  
31 of levy to the extent necessary to produce from all taxable property, including state-assessed railroad  
32 and utility property, which shall be separately estimated in addition to other data required in  
33 complying with section 164.011, substantially the amount of tax revenue permitted in this section.  
34 In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's  
35 reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the  
36 event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the  
37 estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that  
38 the estimates used result in receipt of excess revenues, which would have required a lower rate if the  
39 actual information had been known, the school district shall reduce the tax rate ceiling in the

1 following year to compensate for the excess receipts, and the recalculated rate shall become the tax  
2 rate ceiling for purposes of this section.

3 (2) For any political subdivision which experiences a reduction in the amount of assessed  
4 valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to  
5 sections 138.430 to 138.433, or due to clerical errors or corrections in the calculation or recordation  
6 of any assessed valuation:

7 (a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes  
8 to compensate for the reduction in assessed value occurring after the political subdivision calculated  
9 the tax rate ceiling for the particular subclass of real property or for personal property, in the  
10 aggregate, in a prior year. Such revision by the political subdivision shall be made at the time of the  
11 next calculation of the tax rate for the particular subclass of real property or for personal property, in  
12 the aggregate, after the reduction in assessed valuation has been determined and shall be calculated  
13 in a manner that results in the revised tax rate ceiling being the same as it would have been had the  
14 corrected or finalized assessment been available at the time of the prior calculation;

15 (b) In addition, for up to three years following the determination of the reduction in assessed  
16 valuation as a result of circumstances defined in this subdivision, such political subdivision may  
17 levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in  
18 paragraph (a) of this subdivision to recoup any revenues it was entitled to receive had the corrected  
19 or finalized assessment been available at the time of the prior calculation.

20 4. (1) In order to implement the provisions of this section and Section 22 of Article X of the  
21 Constitution of Missouri, the term improvements shall apply to both real and personal property. In  
22 order to determine the value of new construction and improvements, each county assessor shall  
23 maintain a record of real property valuations in such a manner as to identify each year the increase  
24 in valuation for each political subdivision in the county as a result of new construction and  
25 improvements. The value of new construction and improvements shall include the additional  
26 assessed value of all improvements or additions to real property which were begun after and were  
27 not part of the prior year's assessment, except that the additional assessed value of all improvements  
28 or additions to real property which had been totally or partially exempt from ad valorem taxes  
29 pursuant to sections 99.800 to 99.865, sections 135.200 to 135.255, and section 353.110 shall be  
30 included in the value of new construction and improvements when the property becomes totally or  
31 partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in  
32 valuation of personal property for the current year over that of the previous year is the equivalent of  
33 the new construction and improvements factor for personal property. Beginning January 1, 2026,  
34 any increase in motor vehicle value from a previous year's price guide under subsection 9 of section  
35 137.115 shall not be counted as new construction. Notwithstanding any opt-out implemented  
36 pursuant to subsection 14 of section 137.115, the assessor shall certify the amount of new  
37 construction and improvements and the amount of assessed value on any real property which was  
38 assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a  
39 county or city in the current year in a different subclass of real property separately for each of the

1 three subclasses of real property for each political subdivision to the county clerk in order that  
2 political subdivisions shall have this information for the purpose of calculating tax rates pursuant to  
3 this section and Section 22, Article X, Constitution of Missouri. In addition, the state tax  
4 commission shall certify each year to each county clerk the increase in the general price level as  
5 measured by the Consumer Price Index for All Urban Consumers for the United States, or its  
6 successor publications, as defined and officially reported by the United States Department of Labor,  
7 or its successor agency. The state tax commission shall certify the increase in such index on the  
8 latest twelve-month basis available on February first of each year over the immediately preceding  
9 prior twelve-month period in order that political subdivisions shall have this information available in  
10 setting their tax rates according to law and Section 22 of Article X of the Constitution of Missouri.  
11 For purposes of implementing the provisions of this section and Section 22 of Article X of the  
12 Missouri Constitution, the term "property" means all taxable property, including state-assessed  
13 property.

14 (2) Each political subdivision required to revise rates of levy pursuant to this section or  
15 Section 22 of Article X of the Constitution of Missouri shall calculate each tax rate it is authorized  
16 to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided  
17 in this section and Section 22 of Article X of the Constitution of Missouri, separately and without  
18 regard to annual tax rate reductions provided in section 67.505 and section 164.013. Each political  
19 subdivision shall set each tax rate it is authorized to levy using the calculation that produces the  
20 lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of  
21 Section 10(c) of Article X of the Constitution of Missouri, that the provisions of such section be  
22 applicable to tax rate revisions mandated pursuant to Section 22 of Article X of the Constitution of  
23 Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and  
24 other provisions not in conflict with Section 22 of Article X of the Constitution of Missouri. Annual  
25 tax rate reductions provided in section 67.505 and section 164.013 shall be applied to the tax rate as  
26 established pursuant to this section and Section 22 of Article X of the Constitution of Missouri,  
27 unless otherwise provided by law.

28 5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section  
29 shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall  
30 be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more  
31 than a simple majority pursuant to any provision of law or the constitution, the tax rate increase  
32 must receive approval by at least the majority required.

33 (2) When voters approve an increase in the tax rate, the amount of the increase shall be  
34 added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not  
35 exceed any maximum rate prescribed by law. If a ballot question presents a stated tax rate for  
36 approval rather than describing the amount of increase in the question, the stated tax rate approved  
37 shall be adjusted as provided in this section and, so adjusted, shall be the current tax rate ceiling.  
38 The increased tax rate ceiling as approved shall be adjusted such that when applied to the current  
39 total assessed valuation of the political subdivision, excluding new construction and improvements

1 since the date of the election approving such increase, the revenue derived from the adjusted tax rate  
2 ceiling is equal to the sum of: the amount of revenue which would have been derived by applying  
3 the voter-approved increased tax rate ceiling to total assessed valuation of the political subdivision,  
4 as most recently certified by the city or county clerk on or before the date of the election in which  
5 such increase is approved, increased by the percentage increase in the consumer price index, as  
6 provided by law. Such adjusted tax rate ceiling may be applied to the total assessed valuation of the  
7 political subdivision at the setting of the next tax rate. If a ballot question presents a phased-in tax  
8 rate increase, upon voter approval, each tax rate increase shall be adjusted in the manner prescribed  
9 in this section to yield the sum of: the amount of revenue that would be derived by applying such  
10 voter-approved increased rate to the total assessed valuation, as most recently certified by the city or  
11 county clerk on or before the date of the election in which such increase was approved, increased by  
12 the percentage increase in the consumer price index, as provided by law, from the date of the  
13 election to the time of such increase and, so adjusted, shall be the current tax rate ceiling.

14 (3) The governing body of any political subdivision may levy a tax rate lower than its tax  
15 rate ceiling and may, in a nonreassessment year, increase that lowered tax rate to a level not  
16 exceeding the tax rate ceiling without voter approval in the manner provided under subdivision (4)  
17 of this subsection. Nothing in this section shall be construed as prohibiting a political subdivision  
18 from voluntarily levying a tax rate lower than that which is required under the provisions of this  
19 section or from seeking voter approval of a reduction to such political subdivision's tax rate ceiling.

20 (4) In a year of general reassessment, a governing body whose tax rate is lower than its tax  
21 rate ceiling shall revise its tax rate pursuant to the provisions of subsection 4 of this section as if its  
22 tax rate was at the tax rate ceiling. In a year following general reassessment, if such governing body  
23 intends to increase its tax rate, the governing body shall conduct a public hearing, and in a public  
24 meeting it shall adopt an ordinance, resolution, or policy statement justifying its action prior to  
25 setting and certifying its tax rate. The provisions of this subdivision shall not apply to any political  
26 subdivision which levies a tax rate lower than its tax rate ceiling solely due to a reduction required  
27 by law resulting from sales tax collections. The provisions of this subdivision shall not apply to any  
28 political subdivision which has received voter approval for an increase to its tax rate ceiling  
29 subsequent to setting its most recent tax rate.

30 6. (1) For the purposes of calculating state aid for public schools pursuant to section  
31 163.031, each taxing authority which is a school district shall determine its proposed tax rate as a  
32 blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first  
33 determining the total tax revenue of the property within the jurisdiction of the taxing authority,  
34 which amount shall be equal to the sum of the products of multiplying the assessed valuation of  
35 each class and subclass of property by the corresponding tax rate for such class or subclass, then  
36 dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then  
37 multiplying the resulting quotient by a factor of one hundred. Where the taxing authority is a school  
38 district, such blended rate shall also be used by such school district for calculating revenue from

1 state-assessed railroad and utility property as defined in chapter 151 and for apportioning the tax  
2 rate by purpose.

3 (2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the  
4 county commission in the county or counties where the tax rate applies of its tax rate ceiling and its  
5 proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the  
6 nearest one-tenth of a cent, unless its proposed tax rate is in excess of one dollar, then one/one-  
7 hundredth of a cent. If a taxing authority shall round to one/one-hundredth of a cent, it shall round  
8 up a fraction greater than or equal to five/one-thousandth of one cent to the next higher one/one-  
9 hundredth of a cent; if a taxing authority shall round to one-tenth of a cent, it shall round up a  
10 fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent.  
11 Any taxing authority levying a property tax rate shall provide data, in such form as shall be  
12 prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. All  
13 forms for the calculation of rates pursuant to this section shall be promulgated as a rule and shall not  
14 be incorporated by reference. The state auditor shall promulgate rules for any and all forms for the  
15 calculation of rates pursuant to this section which do not currently exist in rule form or that have  
16 been incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for  
17 debt service shall provide data, in such form as shall be prescribed by the state auditor by rule,  
18 substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for  
19 annual debt service requirements will be prima facie valid if, after making the payment for which  
20 the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed the following  
21 year's payments. The county clerk shall keep on file and available for public inspection all such  
22 information for a period of three years. The clerk shall, within three days of receipt, forward a copy  
23 of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data  
24 to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such  
25 information and return to the county clerk his or her findings as to compliance of the tax rate ceiling  
26 with this section and as to compliance of any proposed tax rate for debt service with Missouri law.  
27 If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri  
28 law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may  
29 request a taxing authority to submit documentation supporting such taxing authority's proposed tax  
30 rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing  
31 authority and shall file a copy of the findings with the information received from the taxing  
32 authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk  
33 of the state auditor's findings and any request for supporting documentation to accept or reject in  
34 writing the rate change certified by the state auditor and to submit all requested information to the  
35 state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted  
36 to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate  
37 change certified by the state auditor and the state auditor does not receive supporting information  
38 which justifies the taxing authority's original or any subsequent proposed tax rate, then the state  
39 auditor shall refer the perceived violations of such taxing authority to the attorney general's office

1 and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from  
2 levying a violative tax rate.

3 (3) In the event that the taxing authority incorrectly completes the forms created and  
4 promulgated under subdivision (2) of this subsection, or makes a clerical error, the taxing authority  
5 may submit amended forms with an explanation for the needed changes. If such amended forms are  
6 filed under regulations prescribed by the state auditor, the state auditor shall take into consideration  
7 such amended forms for the purposes of this subsection.

8 7. No tax rate shall be extended on the tax rolls by the county clerk unless the political  
9 subdivision has complied with the foregoing provisions of this section.

10 8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with  
11 the provisions of this section, the taxpayer may make a formal complaint with the prosecuting  
12 attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the  
13 filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an  
14 action as representative of a class of all taxpayers within a taxing authority if the class is so  
15 numerous that joinder of all members is impracticable, if there are questions of law or fact common  
16 to the class, if the claims or defenses of the representative parties are typical of the claims or  
17 defenses of the class, and if the representative parties will fairly and adequately protect the interests  
18 of the class. In any class action maintained pursuant to this section, the court may direct to the  
19 members of the class a notice to be published at least once each week for four consecutive weeks in  
20 a newspaper of general circulation published in the county where the civil action is commenced and  
21 in other counties within the jurisdiction of a taxing authority. The notice shall advise each member  
22 that the court will exclude him or her from the class if he or she so requests by a specified date, that  
23 the judgment, whether favorable or not, will include all members who do not request exclusion, and  
24 that any member who does not request exclusion may, if he or she desires, enter an appearance. In  
25 any class action brought pursuant to this section, the court, in addition to the relief requested, shall  
26 assess against the taxing authority found to be in violation of this section the reasonable costs of  
27 bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be  
28 awarded any attorney or association of attorneys who receive public funds from any source for their  
29 services. Any action brought pursuant to this section shall be set for hearing as soon as practicable  
30 after the cause is at issue.

31 9. If in any action, including a class action, the court issues an order requiring a taxing  
32 authority to revise the tax rates as provided in this section or enjoins a taxing authority from the  
33 collection of a tax because of its failure to revise the rate of levy as provided in this section, any  
34 taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her  
35 taxes in part, whether or not the taxes are paid under protest as provided in section 139.031 or  
36 otherwise contested. The part of the taxes paid erroneously is the difference in the amount produced  
37 by the original levy and the amount produced by the revised levy. The township or county collector  
38 of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The  
39 taxing authority refusing to revise the rate of levy as provided in this section shall make available to



1 the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall  
2 receive any interest on any money erroneously paid by him or her pursuant to this subsection.  
3 Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority  
4 to refund any tax erroneously paid prior to or during the third tax year preceding the current tax  
5 year.

6 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
7 under the authority delegated in this section shall become effective only if it complies with and is  
8 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
9 chapter 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 subsequently  
11 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
12 August 28, 2004, shall be invalid and void.

13 137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's  
14 deputies in all counties of this state including the City of St. Louis shall annually make a list of all  
15 real and tangible personal property taxable in the assessor's city, county, town or district. Except as  
16 otherwise provided in subsection 3 of this section and section 137.078, for all calendar years ending  
17 on or before December 31, 2024, the assessor shall annually assess all personal property at thirty-  
18 three and one-third percent of its true value in money as of January first of each calendar year.  
19 Except as otherwise provided in subsection 3 of this section and section 137.078, for all calendar  
20 years beginning on or after January 1, 2025, the assessor shall annually assess all personal property  
21 at thirty-one percent of its true value in money as of January first of each calendar year. The  
22 assessor shall annually assess all real property, including any new construction and improvements to  
23 real property, and possessory interests in real property at the percent of its true value in money set in  
24 subsection 5 of this section. The true value in money of any possessory interest in real property in  
25 subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by  
26 a federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR  
27 Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true  
28 value in money of any such possessory interest in real property, less the total dollar amount of costs  
29 paid by a party, other than the political subdivision, towards any new construction or improvements  
30 on such real property completed after January 1, 2008, and which are included in the above-  
31 mentioned possessory interest, regardless of the year in which such costs were incurred or whether  
32 such costs were considered in any prior year. The assessor shall annually assess all real property in  
33 the following manner: new assessed values shall be determined as of January first of each odd-  
34 numbered year and shall be entered in the assessor's books; those same assessed values shall apply  
35 in the following even-numbered year, except for new construction and property improvements  
36 which shall be valued as though they had been completed as of January first of the preceding odd-  
37 numbered year. The assessor may call at the office, place of doing business, or residence of each  
38 person required by this chapter to list property, and require the person to make a correct statement of  
39 all taxable tangible personal property owned by the person or under his or her care, charge or

1 management, taxable in the county. On or before January first of each even-numbered year, the  
2 assessor shall prepare and submit a two-year assessment maintenance plan to the county governing  
3 body and the state tax commission for their respective approval or modification. The county  
4 governing body shall approve and forward such plan or its alternative to the plan to the state tax  
5 commission by February first. If the county governing body fails to forward the plan or its  
6 alternative to the plan to the state tax commission by February first, the assessor's plan shall be  
7 considered approved by the county governing body. If the state tax commission fails to approve a  
8 plan and if the state tax commission and the assessor and the governing body of the county involved  
9 are unable to resolve the differences, in order to receive state cost-share funds outlined in section  
10 137.750, the county or the assessor shall petition the administrative hearing commission, by May  
11 first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement  
12 of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon  
13 terms agreed to by the parties. The final decision of the administrative hearing commission shall be  
14 subject to judicial review in the circuit court of the county involved. In the event a valuation of  
15 subclass (1) real property within any county with a charter form of government, or within a city not  
16 within a county, is made by a computer, computer-assisted method or a computer program, the  
17 burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall  
18 be on the assessor at any hearing or appeal. In any such county, unless the assessor proves  
19 otherwise, there shall be a presumption that the assessment was made by a computer, computer-  
20 assisted method or a computer program. Such evidence shall include, but shall not be limited to, the  
21 following:

22 (1) The findings of the assessor based on an appraisal of the property by generally accepted  
23 appraisal techniques; and

24 (2) The purchase prices from sales of at least three comparable properties and the address or  
25 location thereof. As used in this subdivision, the word "comparable" means that:

26 (a) Such sale was closed at a date relevant to the property valuation; and

27 (b) Such properties are not more than one mile from the site of the disputed property, except  
28 where no similar properties exist within one mile of the disputed property, the nearest comparable  
29 property shall be used. Such property shall be within five hundred square feet in size of the disputed  
30 property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant  
31 characteristics.

32 2. Assessors in each county of this state and the City of St. Louis may send personal  
33 property assessment forms through the mail.

34 3. The following items of personal property shall each constitute separate subclasses of  
35 tangible personal property and shall be assessed and valued for the purposes of taxation at the  
36 following percentages of their true value in money:

37 (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one  
38 percent;

39 (2) Livestock, twelve percent;

1 (3) Farm machinery, twelve percent;

2 (4) Motor vehicles which are eligible for registration as and are registered as historic motor  
3 vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which  
4 are used solely for noncommercial purposes and are operated less than two hundred hours per year  
5 or aircraft that are home built from a kit, five percent;

6 (5) Poultry, twelve percent; and

7 (6) Tools and equipment used for pollution control and tools and equipment used in  
8 retooling for the purpose of introducing new product lines or used for making improvements to  
9 existing products by any company which is located in a state enterprise zone and which is identified  
10 by any standard industrial classification number cited in subdivision (7) of section 135.200, twenty-  
11 five percent.

12 4. The person listing the property shall enter a true and correct statement of the property, in  
13 a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and  
14 either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the  
15 assessor.

16 5. (1) All subclasses of real property, as such subclasses are established in Section 4(b) of  
17 Article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the  
18 following percentages of true value:

19 (a) For real property in subclass (1), nineteen percent;

20 (b) For real property in subclass (2), twelve percent; and

21 (c) For real property in subclass (3), thirty-two percent.

22 (2) A taxpayer may apply to the county assessor, or, if not located within a county, then the  
23 assessor of such city, for the reclassification of such taxpayer's real property if the use or purpose of  
24 such real property is changed after such property is assessed under the provisions of this chapter. If  
25 the assessor determines that such property shall be reclassified, he or she shall determine the  
26 assessment under this subsection based on the percentage of the tax year that such property was  
27 classified in each subclassification.

28 6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling  
29 units shall be assessed at the same percentage of true value as residential real property for the  
30 purpose of taxation. The percentage of assessment of true value for such manufactured homes shall  
31 be the same as for residential real property. If the county collector cannot identify or find the  
32 manufactured home when attempting to attach the manufactured home for payment of taxes owed  
33 by the manufactured home owner, the county collector may request the county commission to have  
34 the manufactured home removed from the tax books, and such request shall be granted within thirty  
35 days after the request is made; however, the removal from the tax books does not remove the tax  
36 lien on the manufactured home if it is later identified or found. For purposes of this section, a  
37 manufactured home located in a manufactured home rental park, rental community or on real estate  
38 not owned by the manufactured home owner shall be considered personal property. For purposes of

1 this section, a manufactured home located on real estate owned by the manufactured home owner  
2 may be considered real property.

3 7. Each manufactured home assessed shall be considered a parcel for the purpose of  
4 reimbursement pursuant to section 137.750, unless the manufactured home is deemed to be real  
5 estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement to the  
6 existing real estate parcel.

7 8. Any amount of tax due and owing based on the assessment of a manufactured home shall  
8 be included on the personal property tax statement of the manufactured home owner unless the  
9 manufactured home is deemed to be real estate as defined in subsection 7 of section 442.015, in  
10 which case the amount of tax due and owing on the assessment of the manufactured home as a realty  
11 improvement to the existing real estate parcel shall be included on the real property tax statement of  
12 the real estate owner.

13 9. The assessor of each county and each city not within a county shall use ~~[the trade-in value~~  
14 ~~published in the October issue of]~~ a nationally recognized automotive trade publication such as the  
15 National Automobile Dealers' Association Official Used Car Guide, [or its successor publication,]  
16 Kelley Blue Book, Edmunds, or other similar publication as the recommended guide of information  
17 for determining the true value of motor vehicles described in such publication. The state tax  
18 commission shall determine which publication shall be used. The assessor of each county and each  
19 city not within a county shall use the trade-in value published in the current October issue of the  
20 publication selected by the state tax commission. The assessor shall not use a value that is greater  
21 than the average trade-in value in determining the true value of the motor vehicle without  
22 performing a physical inspection of the motor vehicle. For vehicles two years old or newer from a  
23 vehicle's model year, the assessor may use a value other than average without performing a physical  
24 inspection of the motor vehicle. In the absence of a listing for a particular motor vehicle in such  
25 publication, the assessor shall use such information or publications which in the assessor's judgment  
26 will fairly estimate the true value in money of the motor vehicle.

27 10. Before the assessor may increase the assessed valuation of any parcel of subclass (1)  
28 real property by more than fifteen percent since the last assessment, excluding increases due to new  
29 construction or improvements, the assessor shall conduct a physical inspection of such property.

30 11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor  
31 shall notify the property owner of that fact in writing and shall provide the owner clear written  
32 notice of the owner's rights relating to the physical inspection. If a physical inspection is required,  
33 the property owner may request that an interior inspection be performed during the physical  
34 inspection. The owner shall have no less than thirty days to notify the assessor of a request for an  
35 interior physical inspection.

36 12. A physical inspection, as required by subsection 10 of this section, shall include, but not  
37 be limited to, an on-site personal observation and review of all exterior portions of the land and any  
38 buildings and improvements to which the inspector has or may reasonably and lawfully gain  
39 external access, and shall include an observation and review of the interior of any buildings or

1 improvements on the property upon the timely request of the owner pursuant to subsection 11 of this  
2 section. Mere observation of the property via a drive-by inspection or the like shall not be  
3 considered sufficient to constitute a physical inspection as required by this section.

4 13. A county or city collector may accept credit cards as proper form of payment of  
5 outstanding property tax or license due. No county or city collector may charge surcharge for  
6 payment by credit card which exceeds the fee or surcharge charged by the credit card bank,  
7 processor, or issuer for its service. A county or city collector may accept payment by electronic  
8 transfers of funds in payment of any tax or license and charge the person making such payment a fee  
9 equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

10 14. Any county or city not within a county in this state may, by an affirmative vote of the  
11 governing body of such county, opt out of the provisions of this section and sections 137.073,  
12 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general assembly, second  
13 regular session and section 137.073 as modified by house committee substitute for senate substitute  
14 for senate committee substitute for senate bill no. 960, ninety-second general assembly, second  
15 regular session, for the next year of the general reassessment, prior to January first of any year. No  
16 county or city not within a county shall exercise this opt-out provision after implementing the  
17 provisions of this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no.  
18 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by  
19 house committee substitute for senate substitute for senate committee substitute for senate bill no.  
20 960, ninety-second general assembly, second regular session, in a year of general reassessment. For  
21 the purposes of applying the provisions of this subsection, a political subdivision contained within  
22 two or more counties where at least one of such counties has opted out and at least one of such  
23 counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house  
24 bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a  
25 city not within a county or a county that has opted out under the provisions of this subsection may  
26 choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100 as  
27 enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and  
28 section 137.073 as modified by house committee substitute for senate substitute for senate  
29 committee substitute for senate bill no. 960, ninety-second general assembly, second regular session,  
30 for the next year of general reassessment, by an affirmative vote of the governing body prior to  
31 December thirty-first of any year.

32 15. The governing body of any city of the third classification with more than twenty-six  
33 thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any  
34 county that has exercised its authority to opt out under subsection 14 of this section may levy  
35 separate and differing tax rates for real and personal property only if such city bills and collects its  
36 own property taxes or satisfies the entire cost of the billing and collection of such separate and  
37 differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

38 16. Any portion of real property that is available as reserve for strip, surface, or coal mining  
39 for minerals for purposes of excavation for future use or sale to others that has not been bonded and

1 permitted under chapter 444 shall be assessed based upon how the real property is currently being  
2 used. Any information provided to a county assessor, state tax commission, state agency, or  
3 political subdivision responsible for the administration of tax policies shall, in the performance of its  
4 duties, make available all books, records, and information requested, except such books, records,  
5 and information as are by law declared confidential in nature, including individually identifiable  
6 information regarding a specific taxpayer or taxpayer's mine property. For purposes of this  
7 subsection, "mine property" shall mean all real property that is in use or readily available as a  
8 reserve for strip, surface, or coal mining for minerals for purposes of excavation for current or future  
9 use or sale to others that has been bonded and permitted under chapter 444."; and  
10  
11 Further amend said bill by amending the title, enacting clause, and intersectional references  
12 accordingly.