

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 756, Page 1, Section A, Line 2, by inserting after all of said section and line the
3 following:
4

5 "137.073. 1. As used in this section, the following terms mean:

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

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

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

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

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

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

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

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

1 actual information had been known, the school district shall reduce the tax rate ceiling in the
2 following year to compensate for the excess receipts, and the recalculated rate shall become the tax
3 rate ceiling for purposes of this section.

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

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

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

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

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

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

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

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

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

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

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

31 6. (1) For the purposes of calculating state aid for public schools pursuant to section
32 163.031, each taxing authority which is a school district shall determine its proposed tax rate as a
33 blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first
34 determining the total tax revenue of the property within the jurisdiction of the taxing authority,
35 which amount shall be equal to the sum of the products of multiplying the assessed valuation of
36 each class and subclass of property by the corresponding tax rate for such class or subclass, then
37 dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then
38 multiplying the resulting quotient by a factor of one hundred. Where the taxing authority is a school
39 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.
13