

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3571H.011
 Bill No.: HJR 75
 Subject: Taxation and Revenue - General; Taxation and Revenue - Property; Property, Real and Personal; Constitutional Amendments; Veterans
 Type: Original
 Date: January 30, 2024

Bill Summary: This resolution proposes an amendment to the constitution of Missouri relating to property tax exemptions.

FISCAL SUMMARY

| ESTIMATED NET EFFECT ON GENERAL REVENUE FUND | | | |
|--|--|---|---|
| FUND AFFECTED | FY 2025 | FY 2026 | FY 2027 |
| General Revenue | \$0 or (More than \$8,000,000)* | \$0 or Unknown, could exceed \$1,587,145 | \$0 or Unknown, could exceed \$1,587,145 |
| Total Estimated Net Effect on General Revenue | \$0 or (More than \$8,000,000)* | \$0 or Unknown, could exceed \$1,587,145 | \$0 or Unknown, could exceed \$1,587,145 |

*The potential fiscal impact of “(More than \$8,000,000)” would be realized **only** if a special election were called by the Governor to submit this joint resolution to voters. All other impacts to state funds would be realized only if the joint resolution is approved by voters

| ESTIMATED NET EFFECT ON OTHER STATE FUNDS | | | |
|---|------------|---|---|
| FUND AFFECTED | FY 2025 | FY 2026 | FY 2027 |
| Blind Pension Fund (0621) | \$0 | \$0 or (Unknown, could exceed \$174,761) | \$0 or (Unknown, could exceed \$174,761) |
| Total Estimated Net Effect on <u>Other</u> State Funds | \$0 | \$0 or (Unknown, could exceed \$174,761) | \$0 or (Unknown, could exceed \$174,761) |

Numbers within parentheses: () indicate costs or losses.

| ESTIMATED NET EFFECT ON FEDERAL FUNDS | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2025 | FY 2026 | FY 2027 |
| | | | |
| | | | |
| Total Estimated Net Effect on <u>All</u> Federal Funds | \$0 | \$0 | \$0 |

| ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE) | | | |
|---|----------------|----------------|----------------|
| FUND AFFECTED | FY 2025 | FY 2026 | FY 2027 |
| | | | |
| | | | |
| Total Estimated Net Effect on FTE | 0 | 0 | 0 |

- Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.
- Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

| ESTIMATED NET EFFECT ON LOCAL FUNDS | | | |
|--|----------------|--|--|
| FUND AFFECTED | FY 2025 | FY 2026 | FY 2027 |
| | | | |
| Local Government** | \$0* | \$0 or (Unknown, could exceed \$27,686,551) | \$0 or (Unknown, could exceed \$27,686,551) |

*Potential costs and state reimbursements net to zero in FY 2025 if a special election is called.

**Oversight notes this impact could be substantially reduced if taxing authorities are able to increase the levy to other taxpayers to make up for the loss of property tax revenue of disabled veterans resulting from this proposal

FISCAL ANALYSIS

ASSUMPTION

In response to other joint resolutions this year, officials from **Office of the Secretary of State (SOS)** assumed, each year, a number of joint resolutions that would refer to a vote of the people a constitutional amendment and bills that would refer to a vote of the people the statutory issue in the legislation may be considered by the General Assembly.

Unless a special election is called for the purpose, Joint Resolutions proposing a constitutional amendment are submitted to a vote of the people at the next general election. Article XII section 2(b) of the Missouri Constitution authorizes the governor to order a special election for constitutional amendments referred to the people. If a special election is called to submit a Joint Resolution to a vote of the people, section 115.063.2 RSMo requires the state to pay the costs. The cost of the special election has been estimated to be \$8 million based on the cost of the 2022 primary and general election reimbursements.

The Secretary of State's office is required to pay for publishing in local newspapers the full text of each statewide ballot measure as directed by Article XII, Section 2(b) of the Missouri Constitution and Section 116.230-116.290, RSMo. Funding for this item is adjusted each year depending upon the election cycle. A new decision item is requested in odd numbered fiscal years and the amount requested is dependent upon the estimated number of ballot measures that will be approved by the General Assembly and the initiative petitions certified for the ballot. In FY 2014, the General Assembly changed the appropriation so that it was no longer an estimated appropriation.

For the FY25 petitions cycle, the SOS estimates publication costs at \$60,000 per page. This amount is subject to change based on number of petitions received, length of those petitions and rates charged by newspaper publishers.

The Secretary of State's office will continue to assume, for the purposes of this fiscal note, that it should have the full appropriation authority it needs to meet the publishing requirements. Because these requirements are mandatory, the SOS reserves the right to request funding to meet the cost of the publishing requirements if the Governor and the General Assembly again change the amount or continue to not designate it as an estimated appropriation.

Oversight has reflected, in this fiscal note, the state potentially reimbursing local political subdivisions the cost of having this joint resolution voted on during a special election in fiscal year 2025. This reflects the decision made by the Joint Committee on Legislative Research that the cost of the elections should be shown in the fiscal note. The next scheduled statewide general election is in November 2024 (FY 2025). It is assumed the subject within this proposal could be on this ballot; however, it could also be on a special election called for by the Governor (a

different date). Therefore, Oversight will reflect a potential election cost reimbursement to local political subdivisions in FY 2025.

Officials from the **Department of Revenue (DOR)** assume if approved by voters at the November 2024, general election or at a special election called for this purpose, this proposal would allow for an exemption of real property tax for military disabled veterans. If this is not adopted by the voters, there will be no fiscal impact. If adopted, it is assumed that based on the certification date of this proposal, it would become effective January 1, 2025.

This proposal defines the eligible disabled veteran as a person with a 100% disability rate as established by the United States Department of Veterans Affairs. Per the U.S. Census Bureau's 2022 ACS 5-year report there are 33,805 disabled veterans in Missouri with a rating of 70% or higher. The Department reached out to the Missouri Veterans Commission who was not able to provide more recent information on disabled veterans than 2019. Given their past information about 45% of the reported veterans are 100% disabled (15,212).

The Senior Property Tax Credit program allows certain qualified disabled veterans to apply for the credit. Per DOR's record the department notes that 2,222 disabled veterans apply for the credit. For fiscal note purposes, DOR will assume the 15,212 are the only veterans who may qualify for this exemption.

The Department is unable to determine the actual number of veterans that would own their own property. For fiscal notes purposes, DOR will assume all of these veterans own their own dwelling. According to information from the U.S. Census Bureau the average amount of property tax paid in Missouri for 2022 was \$1,812. The Department notes that some veterans may have a property tax amount that is lower than this amount. This would exempt from state and local real property tax of \$27,564,144 (\$1,812 per person x 15,212 veterans).

The Missouri Blind Pension fund receives \$.03 for each \$100 valuation of taxable property in the state of Missouri. The Department is unable to determine the actual valuation of the taxable property owned by Missouri veterans, as there are no publications specifying assessed value of property owned by Missouri veterans. The Department estimates that the Missouri Blind Pension Fund could decrease by a minimum to substantial amount.

Additionally, DOR notes that if a military disabled veteran is exempt from paying real property tax, they would no longer be eligible to claim the Senior Property Tax Credit. Currently a person can claim the Senior Property Tax Credit if:

- A. They are 65 years or older
- B. 100% Disabled Veteran as a result of military service
- C. 100% Disabled or
- D. 60 years of age or older and receiving surviving spouse benefits

In TY 2021 – 2,342 taxpayers checked the disabled veteran box on the PTC form. They claimed \$1,635,371 in property tax credits.

In TY 2022 – 2,222 taxpayers checked the disabled veteran box on the PTC form. The claimed \$1,538,919.

Two-year average claimed by disabled veterans is \$1,587,145.

DOR notes that if a disabled veteran is also over the age of 65 years of age, they may have just checked the 65+ box instead of the Veterans box so the amount that could be exempt could be higher.

DOR assumes this would result in a savings to General Revenue that Could Exceed \$1,587,145 annually from military veterans no longer owing real property tax and being ineligible for the property tax credit.

Given the election for this proposal is November 2024 (FY 2024) and the bill starts with property taxes on January 1, 2025; this proposal will have an impact starting in FY 2026 due to the filing deadline for the taxes being 12/31/2025 (FY 2026).

| | |
|---------|---|
| FY 2024 | \$0 |
| FY 2025 | \$0 |
| FY 2026 | \$1,587,145 savings to GR and an Unknown loss to Blind Pension fund |

This proposal will not have an administrative fiscal impact on the Department.

Officials from the **Office of Administration - Budget and Planning (B&P)** note this proposal would go to public vote in November 2024. For the purpose of this fiscal note, B&P assumes that the tax exemption would begin January 1, 2025, if voter approved.

This proposal would exempt, upon voter approval, veterans with 100% disability rating from the Department of Veterans Affairs (VA) from real property taxation on their homestead. In addition, this proposal would no longer require former prisoners of war (POWs) to have a total service-connected disability. Current law only exempts former POWs with total service-connected disabilities from real property tax on their homestead.

General Revenue

During tax year 2022, there were 2,222 veterans that claimed the PTC as a disabled veteran, for total PTC claims of \$1,538,919. Under this proposal, some of these veterans would no longer be subject to real personal property taxes and thus would no longer claim the PTC beginning with tax year 2025. B&P notes that some veterans aged 65 and older may have elected to claim the PTC as a senior rather than as a disabled veteran, and would no longer claim the PTC under this proposal. Therefore, B&P estimates that this proposal could increase GR by up to \$1,538,919 annually beginning in FY26.

Blind Pension Trust Fund

Based on previous data from the Missouri Veterans Commission and current data published by the U.S. Census Bureau, B&P estimates that there were 15,376 veterans with a 100% service-connected disability rating from the VA during 2022, the most recent complete year available.

Additionally, based on data from the U.S. Census bureau, the average median housing value in Missouri was \$199,400 and the average median real estate taxes paid was \$1,812 in 2022. B&P notes however, that based on Section 137.115, RSMo, the assessed value for real property is 19% of the market value. Therefore, based on a market value of \$199,400, B&P estimates that the assessed value would be \$37,886.

B&P notes that the Blind Pension Trust Fund has a property tax levy of \$0.03 per \$100 valuation. Based on the U.S. Census Bureau data, B&P estimates that the Blind Pension Trust Fund receives a median of \$11.37 per real property within Missouri (\$37,886 median assessed value x 0.0003 Blind Pension levy). Therefore, B&P estimates that this proposal could reduce funding to the Blind Pension Trust fund by up to \$174,761 (\$11.37 x 15,376 veterans).

| | |
|----------------------------------|-------------|
| Median Value | \$199,400 |
| | x |
| Assessed % | 19% |
| Assessed Value | \$37,886 |
| | x |
| Blind Pension Trust Fund levy | (0.03/100) |
| Median Blind Pension Tax | \$11.37 |
| | x |
| Qualifying veterans | 15,376 |
| Loss to Blind Pension Trust Fund | (\$174,761) |

Local Property Tax Collections

Based on data from the U.S. Census bureau, the average median housing value in Missouri was \$199,400 and the average median real estate taxes paid was \$1,812 in 2022. Using this data, B&P estimates that the median property tax levy in Missouri is \$0.91 per \$100 market value. Subtracting the \$0.03 per \$100 valuation levy for the Blind Pension Trust Fund, B&P estimates that the median local real property tax levy is \$0.90 per \$100 market value. Therefore, B&P estimates that this provision will reduce local real property tax revenues by up to \$27,686,551 (\$199,400 median home value x \$0.903/\$100 x 15,376 veterans).

| | |
|-------------------------------------|------------------|
| Median Home Value | \$199,400 |
| Median Local Real Property Tax Levy | x (0.903/100) |
| Median Local Real Property Tax | \$1,800.63 |
| Qualifying veterans | x 15,376 |
| Local Real Estate Taxes Lost | (\$27,686,551) |

Summary

B&P estimates that this proposal may increase GR by an amount up to \$1,538,919 annually beginning in FY26. In addition, this proposal could reduce funding to the Blind Pension Trust Fund by up to \$174,761 annually beginning in FY26. This proposal may also reduce local tax collections by up to \$27,686,551 annually beginning in FY26.

The **State Tax Commission** have reviewed this proposal and determined an unknown fiscal impact. The U.S. Census Survey (2018) states the number of veterans in Missouri is 479,828 of which over 80,000 have service related disabilities. The Agency does not possess the specific data to determine the number of qualifying, eligible individuals or the real property held by said individuals under the proposed criteria which states: “all real property used as a homestead as defined by law of any citizen of this state who is a military veteran and who has a [total] one hundred percent disability.”

Oversight notes, per information on the State Tax Commission’s [website](#), an applicant must meet the following requirements to qualify for the property tax exemption as it exists in current law:

- be a former prisoner of war; and
- a veteran of any branch of the armed forces of the United States or this state who became one hundred percent disabled as a result of his or her military service; and
- must own and occupy the homestead as a primary residence.

Oversight notes the phrase “total service connected disability” exists in current law and for purposes of this fiscal note assumes it has the same meaning as noted above by the State Tax Commission.

Oversight notes the Blind Pension Fund (0621) is calculated as an annual tax of three cents on each one hundred dollars valuation of taxable property ((Total Assessed Value/100)*.03). Because this proposal limits the assessed value portion of this equation, the Blind Pension Fund will experience a decrease in revenue relative to what it would have received under current law. **Oversight** will reflect B&P’s estimated impact to the Blind Pension Fund in the fiscal note.

Oversight assumes this could reduce claims for the Property Tax Credit for individuals qualifying for the exemption. Oversight will show the savings to General Revenue provided by the Department of Revenue.

Oversight notes property tax revenues are designed to be revenue neutral from year to year. The tax levy is adjusted relative to the assessed value to produce roughly the same revenue from the prior year with an allowance for growth.

Oversight notes this proposal is contingent on a voter approved amendment to the Constitution. Oversight will show the impact as either \$0 (Constitutional amendment is not approved by voters AND/OR the local political subdivisions may be able to increase the levy to all other taxpayers to replace the lost property tax revenues from disabled veterans) or could exceed the figures estimated by DOR and B&P to the Blind Pension Fund and local political subdivisions beginning in FY 2026.

Officials from the **City of Kansas City** assume this legislation is projected to have a negative fiscal impact of an indeterminable amount. Additional exemptions and/or limits on revenue growth will hamper the City of Kansas City's ability to ensure that basic services such as public safety, road repair, and emergency response can continue to be provided to serve the needs of the City's growing population.

Officials from the **Department of Social Services** assume the proposal will have no fiscal impact on their organization.

Officials from the **Office of the State Auditor** assume the proposal will have no fiscal impact on their organization. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for this agency.

Officials from the **Newton County Health Department, Phelps County Sheriff, Branson Police Dept, Kansas City Police Dept., St. Louis County Police Dept, and the Eureka Fire Protection District (EURE) - St. Louis**, each assume the proposal will have no fiscal impact on their respective organizations.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other local political subdivisions were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

| <u>FISCAL IMPACT – State Government</u> | FY 2025 (10 Mo.) | FY 2026 | FY 2027 |
|---|---------------------------------------|---|---|
| GENERAL REVENUE | | | |
| <u>Revenue Gain</u> – DOR – Veterans no longer claiming the Senior Property Tax Credit | \$0 | \$0 or Unknown, could exceed \$1,587,145 | \$0 or Unknown, could exceed \$1,587,145 |
| <u>Transfer Out</u> - SOS - reimbursement of local election authority election costs if a special election is called by the Governor | \$0 or (More than \$8,000,000) | \$0 | \$0 |
| ESTIMATED NET EFFECT ON GENERAL REVENUE | \$0 or (More than \$8,000,000) | \$0 or Unknown, could exceed \$1,587,145 | \$0 or Unknown, could exceed \$1,587,145 |
| | | | |
| | | | |
| | | | |
| BLIND PENSION FUND | | | |
| <u>Revenue Loss</u> - no real property tax collected from veterans with a total service-connected disability if approved by voters | \$0 | \$0 or (Unknown, could exceed \$174,761) | \$0 or (Unknown, could exceed \$174,761) |
| ESTIMATED NET EFFECT ON BLIND PENSION FUND | \$0 | \$0 or (Unknown, could exceed \$174,761) | \$0 or (Unknown, could exceed \$174,761) |

| <u>FISCAL IMPACT – Local Government</u> | FY 2025 (10 Mo.) | FY 2026 | FY 2027 |
|---|--------------------------------------|--|--|
| LOCAL POLITICAL SUBDIVISIONS | | | |
| <u>Costs</u> – to implement and monitor if approved by voters | \$0 | \$0 or (Unknown) | \$0 or (Unknown) |
| <u>Revenue Loss</u> - no real property tax collected from veterans with a total service-connected disability* if approved by voters | \$0 | \$0 or (Unknown, could exceed \$27,686,551) | \$0 or (Unknown, could exceed \$27,686,551) |
| <u>Transfer In</u> - Local Election Authorities - reimbursement of election costs by the State for a special election | \$0 or More than \$8,000,000 | \$0 | \$0 |
| <u>Costs</u> - Local Election Authorities - cost of a special election if called for by the Governor | \$0 or (More than \$8,000,000) | \$0 | \$0 |
| ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS | \$0 | \$0 or (Unknown, could exceed \$27,686,551) | \$0 or (Unknown, could exceed \$27,686,551) |

***Oversight** notes this impact could be substantially reduced if taxing authorities are able to increase the levy to other taxpayers to make up for the loss of property tax revenue of disabled veterans resulting from this proposal.

FISCAL IMPACT – Small Business

Oversight assumes there could be an impact to small businesses owned by veterans with a total service-connected disability. Conversely, taxing jurisdictions may be able to increase the levy to all other property owners to make up for the lost revenue.

FISCAL DESCRIPTION

Currently, all real property used as a homestead of any citizen of this state who is a former prisoner of war and who has a total service-connected disability, is exempt from taxation.

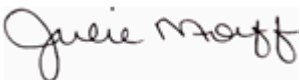
Upon voter approval, this proposed Constitutional amendment would exempt all real property used as a homestead from taxation for any military veteran who is a resident of this state and has

a 100% service-connected disability as determined by the US Department of Veterans Affairs, and any military veteran who is a citizen of this state and a former prisoner of war.

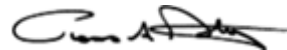
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the Secretary of State
Office of Administration - Budget and Planning
Department of Revenue
State Tax Commission
Department of Social Services
Office of the State Auditor
City of Kansas City
Newton County Health Department
Phelps County Sheriff
Branson Police Dept
Kansas City Police Dept.
St. Louis County Police Dept
Eureka Fire Protection District (EURE) - St. Louis



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