

SECOND REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 88

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MATTHIESEN.

2890H.011

DANA RADEMAN MILLER, Chief Clerk

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Section 6 of Article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to personal property tax.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next  
2 following the first Monday in November, 2024, or at a special election to be called by the  
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for  
4 adoption or rejection, the following amendment to Article X of the Constitution of the state of  
5 Missouri:

Section A. Section 6, Article X, Constitution of Missouri, is repealed and one new  
2 section adopted in lieu thereof, to be known as Section 6, to read as follows:

Section 6. 1. All property, real and personal, of the state, counties and other political  
2 subdivisions, and nonprofit cemeteries, and all real property used as a homestead as defined  
3 by law of any citizen of this state who is a former prisoner of war, as defined by law, and who  
4 has a total service-connected disability, shall be exempt from taxation; all personal property  
5 held as industrial inventories, including raw materials, work in progress and finished work on  
6 hand, by manufacturers and refiners, and all personal property held as goods, wares,  
7 merchandise, stock in trade or inventory for resale by distributors, wholesalers, or retail  
8 merchants or establishments shall be exempt from taxation; and all property, real and  
9 personal, not held for private or corporate profit and used exclusively for religious worship,

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 for schools and colleges, for purposes purely charitable, for agricultural and horticultural  
11 societies, or for veterans' organizations may be exempted from taxation by general law. In  
12 addition to the above, household goods, furniture, wearing apparel and articles of personal use  
13 and adornment owned and used by a person in his home or dwelling place may be exempt  
14 from taxation by general law but any such law may provide for approximate restitution to the  
15 respective political subdivisions of revenues lost by reason of the exemption. All laws  
16 exempting from taxation property other than the property enumerated in this article~~[-]~~ **and as**  
17 **provided under subsection 5 of this section** shall be void. The provisions of this section  
18 exempting certain personal property of manufacturers, refiners, distributors, wholesalers, and  
19 retail merchants and establishments from taxation shall become effective, unless otherwise  
20 provided by law, in each county on January 1 of the year in which that county completes its  
21 first general reassessment as defined by law.

22       2. All revenues lost because of the exemption of certain personal property of  
23 manufacturers, refiners, distributors, wholesalers, and retail merchants and establishments  
24 shall be replaced to each taxing authority within a county from a countywide tax hereby  
25 imposed on all property in subclass 3 of class 1 in each county. For the year in which the  
26 exemption becomes effective, the county clerk shall calculate the total revenue lost by all  
27 taxing authorities in the county and extend upon all property in subclass 3 of class 1 within  
28 the county, a tax at the rate necessary to produce that amount. The rate of tax levied in each  
29 county according to this subsection shall not be increased above the rate first imposed and  
30 will stand levied at that rate unless later reduced according to the provisions of subsection 3.  
31 The county collector shall disburse the proceeds according to the revenue lost by each taxing  
32 authority because of the exemption of such property in that county. Restitution of the  
33 revenues lost by any taxing district contained in more than one county shall be from the  
34 several counties according to the revenue lost because of the exemption of property in each  
35 county. Each year after the first year the replacement tax is imposed, the amount distributed  
36 to each taxing authority in a county shall be increased or decreased by an amount equal to the  
37 amount resulting from the change in that district's total assessed value of property in subclass  
38 3 of class 1 at the countywide replacement tax rate. In order to implement the provisions of  
39 this subsection, the limits set in section 11(b) of this article may be exceeded, without voter  
40 approval, if necessary to allow each county listed in section 11(b) to comply with this  
41 subsection.

42       3. Any increase in the tax rate imposed pursuant to subsection 2 of this section shall  
43 be decreased if such decrease is approved by a majority of the voters of the county voting on  
44 such decrease. A decrease in the increased tax rate imposed under subsection 2 of this section  
45 may be submitted to the voters of a county by the governing body thereof upon its own order,

46 ordinance, or resolution and shall be submitted upon the petition of at least eight percent of  
47 the qualified voters who voted in the immediately preceding gubernatorial election.

48 4. As used in this section, the terms "revenues lost" and "lost revenues" shall mean  
49 that revenue which each taxing authority received from the imposition of a tangible personal  
50 property tax on all personal property held as industrial inventories, including raw materials,  
51 work in progress and finished work on hand, by manufacturers and refiners, and all personal  
52 property held as goods, wares, merchandise, stock in trade or inventory for resale by  
53 distributors, wholesalers, or retail merchants or establishments in the last full tax year  
54 immediately preceding the effective date of the exemption from taxation granted for such  
55 property under subsection 1 of this section, and which was no longer received after such  
56 exemption became effective.

57 **5. The general assembly may provide that tangible personal property may be**  
58 **exempted from the payment of tangible personal property taxes thereon by general law,**  
59 **in such amounts and upon such conditions as may be determined by law, and the**  
60 **general assembly may provide for certain tax credits or rebates in lieu of or in addition**  
61 **to such an exemption.**

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