

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NOS. 2432, 2482 & 2543

102ND GENERAL ASSEMBLY

5159H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 137.1050, RSMo, and to enact in lieu thereof one new section relating to local homestead property tax credits.

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

Section A. Section 137.1050, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 137.1050, to read as follows:

137.1050. 1. For the purposes of this section, the following terms shall mean:

(1) "Eligible credit amount", the difference between an eligible taxpayer's real property tax liability on such taxpayer's homestead for a given tax year **from all taxing entities levying a property tax**, minus the real property tax liability on such homestead in the **initial credit** year [~~that the taxpayer became an eligible taxpayer~~];

(2) "Eligible taxpayer", a Missouri resident who:

(a) Is [~~eligible for Social Security retirement benefits~~] **sixty-two years of age or older;**

(b) Is an owner of record of a homestead or has a legal or equitable interest in such property as evidenced by a **publicly recorded or a verified** written instrument, **including but not limited to a trust document in which at least one primary beneficiary is sixty-two years of age or older;** [~~and~~]

(c) Is liable for the payment of real property taxes on such homestead; **and**

(d) **Does not owe any delinquent taxes, interest, or penalties to the county;**

(3) "Homestead", real property actually occupied by an eligible taxpayer as the primary residence. An eligible taxpayer shall not claim more than one primary residence;

(4) **"Initial credit year":**

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

18 **(a) In the case of a taxpayer who meets all requirements of subdivision (2) of this**
 19 **subsection prior to the year in which a credit is authorized under subsection 2 of this**
 20 **section, the year in which such credit is authorized; or**

21 **(b) For all other taxpayers, the year in which the taxpayer meets all**
 22 **requirements of subdivision (2) of this subsection.**

23

24 **If in any tax year subsequent to the eligible taxpayer's initial credit year the eligible**
 25 **taxpayer's real property tax liability is lower than such liability in the initial credit year,**
 26 **such tax year shall be considered the eligible taxpayer's initial credit year for all**
 27 **subsequent tax years;**

28 **(5) "Tax credit", the amount equal to the taxpayer's eligible credit amount.**

29 2. **(1)** Any county authorized to impose a property tax ~~may~~ **shall** grant a property
 30 tax credit to **all** eligible taxpayers residing in such county **for certain increases to the**
 31 **eligible taxpayer's property tax liability** in an amount equal to the taxpayer's eligible credit
 32 amount, provided that:

33 ~~[(1)]~~ **(a) The governing body of such county adopts an ordinance authorizing such**
 34 **credit; or**

35 ~~[(2)-(a)]~~ **(b) a.** A petition in support of a referendum on such a credit is signed by at
 36 least five percent of the registered voters of such county voting in the last gubernatorial
 37 election and the petition is delivered to the governing body of the county, which shall
 38 subsequently hold a referendum on such credit.

39 ~~[(b)]~~ **b.** The ballot of submission for the question submitted to the voters pursuant to
 40 ~~paragraph (a)]~~ **subparagraph a** of this ~~subdivision]~~ **paragraph** shall be in substantially the
 41 following form:

42 Shall the County of _____ ~~exempt]~~ **grant a property tax**
 43 **credit to relieve eligible** senior citizens from increases in the
 44 property tax liability due on such senior citizens' primary
 45 residence?

46 YES NO

47

48 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in
 49 favor of the proposal, then the credit shall be in effect.

50 **(2) An ordinance adopted under paragraph (a) of subdivision (1) of this**
 51 **subsection shall not preclude such ordinance from being amended or superseded by a**
 52 **petition subsequently adopted under paragraph (b) of subdivision (1) of this subsection.**

53 3. A county granting ~~an exemption]~~ **a tax credit** pursuant to this section shall apply
 54 such ~~exemption]~~ **tax credit** when calculating the eligible taxpayer's property tax liability for

55 the tax year. The amount of the credit shall be noted **in actual monetary value** on the
56 statement of tax due sent to the eligible taxpayer by the county collector. **The county**
57 **governing body may adopt reasonable procedures in order to carry out the purposes**
58 **and intent of this section, provided that the county shall not adopt any procedure that**
59 **limits the definition or scope of "eligible credit amount" or "eligible taxpayer" as**
60 **defined under this section.**

61 4. For the purposes of calculating property tax levies pursuant to section 137.073, the
62 total amount of credits authorized by a county pursuant to this section shall be considered tax
63 revenue, as such term is defined in section 137.073, actually received by the ~~county~~
64 **respective taxing entity.**

65 5. **Nothing in this section shall be construed as to prevent an eligible taxpayer**
66 **from appealing an assessment.**

67 6. **Nothing in this section shall be construed to relieve a taxpayer of the**
68 **obligation to pay the tax liability of the state blind pension fund.**

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