HJR 22 -- TAXATION

SPONSOR: Mayhew

Currently, certain real and personal property are exempt from taxation. Any county that loses revenue as a result of these exemptions can replace the revenue by imposing a tax on commercial real property within the county's border. If a county chooses to impose such a tax, a majority of voters within the county may decrease the newly imposed tax on commercial real property.

This proposed consitutional amendment, upon voter approval, allows the governing body of a county to decrease the newly imposed tax on commercial real property. The resolution also applies the provisions of Section 22, Article X of the Missouri Constitution to the newly imposed tax on commercial property.

Currently, the calculation of "total state revenues" includes certain revenue, fees, and funds, as defined for fiscal year 1980-1981. This resolution repeals the base year of 1980-1981.

Currently, there is a limit on the total amount of taxes which may be imposed in any fiscal year on taxpayers. The limit is calculated by using the total state revenues from fiscal year 1980-1981 and the personal income of Missouri in calendar year 1979. This resolution changes the effective date of implementation from fiscal year 1980-1981 to fiscal year 2027-2028. The resolution also changes the limiting calculation by using total state revenues from the previous fiscal year before implementation and the personal income of Missouri from the calendar year prior to the previous fiscal year before implementation.

Currently, the General Assembly must not increase taxes or fees without voter approval if the taxes or fees in total produce new annual revenues of a certain amount. This resolution repeals the definition of "new annual revenues". Instead, the resolution measures individual tax or fee increases by the increase in total state revenues collected during the first fiscal year following enactment. If a tax or fee change is to be implemented over multiple years, the increase in total state revenues from the first fiscal year following enactment will be used to extrapolate the total increase in revenues once fully implemented, and this result will be used for the compliance measurement for the year the General Assembly approved the tax or fee increase.

This resolution requires voter approval before any tax increase imposed by state statute may go into effect or for any existing tax imposed by statute to continue. During the general election of

2028, or at a special election called by the Governor, the voters must be asked the following question:

"Shall the taxes imposed in (list of Articles and Sections imposing a tax) of this Constitution expire?"

If a majority of the qualified voters answer in favor of the question, the listed taxes will expire at the end of the second fiscal year after the election was held. If a majority answer no, the listed taxes will not expire and must remain effective unless and until the questions is resubmitted. Additionally, if a majority answer no, the Secretary of State must resubmit the question at the general election every four years thereafter until the termination of the taxes is approved.

This bill is the same as HJR 126 (2024) nd similar to HJR 50, HJR 56, and HJR 35 (2023).