

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND Senate Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 3, Page 21, Section  
2 135.445, Line 74, by inserting after said section and line the following:  
3

4 "137.102. 1. As used in this section, the following terms mean:

5 (1) "Farm machinery", the same meaning as such term is defined under section 32.085 for such items  
6 that were manufactured ten years or more prior to the current calendar year as such items are assessed and  
7 valued as tangible personal property under this section or any other provision of law;

8 (2) "Motor vehicles", the same meaning as such term is defined under section 301.010 for such items  
9 that were manufactured ten years or more prior to the current calendar year as such items are assessed and  
10 valued as tangible personal property under this section or any other provision of law. The term "motor  
11 vehicles" includes "vehicle" as defined under section 301.010, "recreational vehicle" as defined under section  
12 700.010, "trailer" as defined under section 301.010, motor vehicles and certain aircraft as described under  
13 subdivision (4) of subsection 3 of section 137.115, and motor vehicles as described under subdivision (6) of  
14 section 137.080.

15 2. Farm machinery and motor vehicles as defined under this section shall be exempt from all  
16 applicable state and local tangible personal property taxation beginning January first of the calendar year  
17 immediately following the adoption of a constitutional amendment authorizing the exemption of tangible  
18 personal property from taxation under Article X, Section 6 of the Constitution of Missouri.

19 137.115. 1. (1) All other laws to the contrary notwithstanding, the assessor or the assessor's  
20 deputies in all counties of this state including the City of St. Louis shall annually make a list of all real and  
21 tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided  
22 in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at  
23 thirty-three and one-third percent of its true value in money as of January first of each calendar year through  
24 calendar year 2025.

25 (2) Except as otherwise provided in subsection 3 of this section and section 137.078, beginning on or  
26 after January 1, 2026, the percentage of the true value in money at which tangible personal property is subject  
27 to assessment under the provisions of this subsection shall be reduced annually over a period of years. The  
28 assessor shall annually assess all personal property as of January first of each calendar year at such  
29 percentages as follows:

30 (a) For the calendar year 2026, thirty percent of its true value in money;

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1 (b) For the calendar year 2027, twenty-eight percent of its true value in money;

2 (c) For the calendar year 2028, twenty-six percent of its true value in money;

3 (d) For the calendar year 2029, twenty-four percent of its true value in money;

4 (e) For the calendar year 2030, twenty-two percent of its true value in money;

5 (f) For the calendar year 2031, twenty percent of its true value in money;

6 (g) For the calendar year 2032, eighteen percent of its true value in money;

7 (h) For the calendar year 2033, sixteen percent of its true value in money;

8 (i) For the calendar year 2034, fourteen percent of its true value in money;

9 (j) For the calendar year 2035, twelve percent of its true value in money; and

10 (k) For the calendar year 2036 and all subsequent years, ten percent of its true value in money.

11 (3) The assessor shall annually assess all real property, including any new construction and  
12 improvements to real property, and possessory interests in real property at the percent of its true value in  
13 money set in subsection 5 of this section. The true value in money of any possessory interest in real property  
14 in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a  
15 federal airport layout plan, as defined by 14 CFR 151.5, of a commercial airport having a FAR Part 139  
16 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of  
17 any such possessory interest in real property, less the total dollar amount of costs paid by a party, other than  
18 the political subdivision, towards any new construction or improvements on such real property completed  
19 after January 1, 2008, and which are included in the above-mentioned possessory interest, regardless of the  
20 year in which such costs were incurred or whether such costs were considered in any prior year. The assessor  
21 shall annually assess all real property in the following manner: new assessed values shall be determined as of  
22 January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed  
23 values shall apply in the following even-numbered year, except for new construction and property  
24 improvements which shall be valued as though they had been completed as of January first of the preceding  
25 odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person  
26 required by this chapter to list property, and require the person to make a correct statement of all taxable  
27 tangible personal property owned by the person or under his or her care, charge or management, taxable in  
28 the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a  
29 two-year assessment maintenance plan to the county governing body and the state tax commission for their  
30 respective approval or modification. The county governing body shall approve and forward such plan or its  
31 alternative to the plan to the state tax commission by February first. If the county governing body fails to  
32 forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan  
33 shall be considered approved by the county governing body. If the state tax commission fails to approve a  
34 plan and if the state tax commission and the assessor and the governing body of the county involved are  
35 unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the  
36 county or the assessor shall petition the administrative hearing commission, by May first, to decide all  
37 matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may  
38 be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The  
39 final decision of the administrative hearing commission shall be subject to judicial review in the circuit court

of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

~~[(1)]~~ (a) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

~~[(2)]~~ (b) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this subdivision, the word "comparable" means that:

~~[(a)]~~ a. Such sale was closed at a date relevant to the property valuation; and

~~[(b)]~~ b. Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the City of St. Louis may send personal property assessment forms through the mail.

3. Except as otherwise provided under section 137.102, the following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent through December 31, 2035; for all calendar years beginning on or after January 1, 2036, ten percent;

(3) Farm machinery, twelve percent through December 31, 2035; for all calendar years beginning on or after January 1, 2036, ten percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than two hundred hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent through December 31, 2035; for all calendar years beginning on or after January 1, 2036, ten percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (7) of section 135.200, twenty-five percent through December 31, 2035; for all calendar years beginning on or after January 1, 2036, ten percent.

1           4. The person listing the property shall enter a true and correct statement of the property, in a printed  
2 blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or  
3 sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

4           5. (1) All subclasses of real property, as such subclasses are established in Section 4(b) of Article X  
5 of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of  
6 true value:

7           (a) For real property in subclass (1), nineteen percent;

8           (b) For real property in subclass (2), twelve percent through December 31, 2025; for all calendar  
9 years beginning on or after January 1, 2026, fifteen percent; and

10          (c) For real property in subclass (3), thirty-two percent.

11          (2) A taxpayer may apply to the county assessor, or, if not located within a county, then the assessor  
12 of such city, for the reclassification of such taxpayer's real property if the use or purpose of such real property  
13 is changed after such property is assessed under the provisions of this chapter. If the assessor determines that  
14 such property shall be reclassified, he or she shall determine the assessment under this subsection based on  
15 the percentage of the tax year that such property was classified in each subclassification.

16          6. Manufactured homes, as defined in section 700.010, which are actually used as dwelling units  
17 shall be assessed at the same percentage of true value as residential real property for the purpose of taxation.  
18 The percentage of assessment of true value for such manufactured homes shall be the same as for residential  
19 real property. If the county collector cannot identify or find the manufactured home when attempting to  
20 attach the manufactured home for payment of taxes owed by the manufactured home owner, the county  
21 collector may request the county commission to have the manufactured home removed from the tax books,  
22 and such request shall be granted within thirty days after the request is made; however, the removal from the  
23 tax books does not remove the tax lien on the manufactured home if it is later identified or found. For  
24 purposes of this section, a manufactured home located in a manufactured home rental park, rental community  
25 or on real estate not owned by the manufactured home owner shall be considered personal property. For  
26 purposes of this section, a manufactured home located on real estate owned by the manufactured home owner  
27 may be considered real property.

28          7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement  
29 pursuant to section 137.750, unless the manufactured home is deemed to be real estate as defined in  
30 subsection 7 of section 442.015 and assessed as a realty improvement to the existing real estate parcel.

31          8. Any amount of tax due and owing based on the assessment of a manufactured home shall be  
32 included on the personal property tax statement of the manufactured home owner unless the manufactured  
33 home is deemed to be real estate as defined in subsection 7 of section 442.015, in which case the amount of  
34 tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real  
35 estate parcel shall be included on the real property tax statement of the real estate owner.

36          9. The assessor of each county and each city not within a county shall use the trade-in value  
37 published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or  
38 its successor publication, as the recommended guide of information for determining the true value of motor  
39 vehicles described in such publication. The assessor shall not use a value that is greater than the average

1 trade-in value in determining the true value of the motor vehicle without performing a physical inspection of  
2 the motor vehicle. For vehicles two years old or newer from a vehicle's model year, the assessor may use a  
3 value other than average without performing a physical inspection of the motor vehicle. In the absence of a  
4 listing for a particular motor vehicle in such publication, the assessor shall use such information or  
5 publications which in the assessor's judgment will fairly estimate the true value in money of the motor  
6 vehicle.

7 10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real  
8 property by more than fifteen percent since the last assessment, excluding increases due to new construction  
9 or improvements, the assessor shall conduct a physical inspection of such property.

10 11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall  
11 notify the property owner of that fact in writing and shall provide the owner clear written notice of the  
12 owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may  
13 request that an interior inspection be performed during the physical inspection. The owner shall have no less  
14 than thirty days to notify the assessor of a request for an interior physical inspection.

15 12. A physical inspection, as required by subsection 10 of this section, shall include, but not be  
16 limited to, an on-site personal observation and review of all exterior portions of the land and any buildings  
17 and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall  
18 include an observation and review of the interior of any buildings or improvements on the property upon the  
19 timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a  
20 drive-by inspection or the like shall not be considered sufficient to constitute a physical inspection as required  
21 by this section.

22 13. A county or city collector may accept credit cards as proper form of payment of outstanding  
23 property tax or license due. No county or city collector may charge surcharge for payment by credit card  
24 which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A  
25 county or city collector may accept payment by electronic transfers of funds in payment of any tax or license  
26 and charge the person making such payment a fee equal to the fee charged the county by the bank, processor,  
27 or issuer of such electronic payment.

28 14. Any county or city not within a county in this state may, by an affirmative vote of the governing  
29 body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100 as  
30 enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section  
31 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for  
32 senate bill no. 960, ninety-second general assembly, second regular session, for the next year of the general  
33 reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-  
34 out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100 as  
35 enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section  
36 137.073 as modified by house committee substitute for senate substitute for senate committee substitute for  
37 senate bill no. 960, ninety-second general assembly, second regular session, in a year of general reassessment.  
38 For the purposes of applying the provisions of this subsection, a political subdivision contained within two or  
39 more counties where at least one of such counties has opted out and at least one of such counties has not

1 opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the  
2 ninety-first general assembly, second regular session. A governing body of a city not within a county or a  
3 county that has opted out under the provisions of this subsection may choose to implement the provisions of  
4 this section and sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first  
5 general assembly, second regular session, and section 137.073 as modified by house committee substitute for  
6 senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly,  
7 second regular session, for the next year of general reassessment, by an affirmative vote of the governing  
8 body prior to December thirty-first of any year.

9       15. The governing body of any city of the third classification with more than twenty-six thousand  
10 three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has  
11 exercised its authority to opt out under subsection 14 of this section may levy separate and differing tax rates  
12 for real and personal property only if such city bills and collects its own property taxes or satisfies the entire  
13 cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates  
14 shall not exceed such city's tax rate ceiling.

15       16. Any portion of real property that is available as reserve for strip, surface, or coal mining for  
16 minerals for purposes of excavation for future use or sale to others that has not been bonded and permitted  
17 under chapter 444 shall be assessed based upon how the real property is currently being used. Any  
18 information provided to a county assessor, state tax commission, state agency, or political subdivision  
19 responsible for the administration of tax policies shall, in the performance of its duties, make available all  
20 books, records, and information requested, except such books, records, and information as are by law  
21 declared confidential in nature, including individually identifiable information regarding a specific taxpayer  
22 or taxpayer's mine property. For purposes of this subsection, "mine property" shall mean all real property that  
23 is in use or readily available as a reserve for strip, surface, or coal mining for minerals for purposes of  
24 excavation for current or future use or sale to others that has been bonded and permitted under chapter 444.";  
25 and

26  
27 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.