

SECOND EXTRAORDINARY SESSION OF THE
FIRST REGULAR SESSION

**HOUSE JOINT
RESOLUTION NO. 8**

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIDSON.

3411H.01I

JOSEPH ENGLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Sections 4(a), 4(b), 4(c), 5, 6, 6(a), 6(b), 8, 11(a), 11(b), 11(c), 11(e), 11(g), 12(a), and 22 of Article X of the Constitution of Missouri, and adopting thirteen new sections in lieu thereof relating to taxation of property.

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 following the first Monday in November, 2026, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article X of the Constitution of the state of Missouri:

Section A. Sections 4(a), 4(b), 4(c), 5, 6, 6(a), 6(b), 8, 11(a), 11(b), 11(c), 11(e), 11(g), 12(a), and 22, Article X, Constitution of Missouri, are repealed and thirteen new sections adopted in lieu thereof, to be known as Sections 4(a), 4(b), 4(e), 4(f), 5, 6, 6(a), 8, 11(a), 11(c), 11(g), 12(a), and 22, to read as follows:

Section 4(a). ~~[All taxable]~~ **1. Real** property shall be **the only property** classified for **property** tax purposes ~~[as follows: class 1, real property; class 2, tangible personal property; class 3, intangible personal property]~~ **in this state.**

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.

4 **2. (1)** The general assembly, by general law, may ~~[provide for further classification~~
5 ~~within classes 2 and 3,]~~ **classify real property for property tax purposes** based solely on the
6 nature and characteristics of the property~~[-and not].~~

7 **(2)** Real property shall not be classified for property tax purposes based on:

8 **(a)** The nature, residence, or business of the owner~~[-];~~ or

9 **(b)** The amount owned **on such real property.**

10 **(3)** Residential real property shall not be classified for property tax purposes
11 **based on the real property's true value in money or market value.**

12 **3.** Nothing in this section shall prevent the taxing of franchises, privileges or incomes,
13 or the levying of excise or motor vehicle license taxes, or any other taxes of the same or
14 different types.

 Section 4(b). **1. Real property** ~~[in classes 1 and 2 and subclasses of those classes,]~~
2 shall be ~~[assessed]~~ **categorized** for property tax purposes ~~[at its value or such percentage of~~
3 ~~its value as may be fixed]~~ **as provided in this article and as provided** by general law for
4 each class ~~[and for each subclass. Property in class 3 and its subclasses shall be taxed only to~~
5 ~~the extent authorized and at the rate fixed by law for each class and subclass, and the tax shall~~
6 ~~be based on the annual yield and shall not exceed eight percent thereof].~~

7 **2. Real property** ~~[in class 1]~~ shall be ~~[subclassed]~~ **classified** in the following
8 classifications:

9 **(1)** Residential **real** property;

10 **(2)** Agricultural and horticultural **real** property; **and**

11 **(3)** Utility, industrial, commercial, railroad, and all other **real** property not included in
12 ~~[subclasses (1) and (2) of class 1]~~ **residential real property or agricultural and**
13 **horticultural real property under this subsection.**

14 **3. (1)** Real property in ~~[the subclasses of class 1]~~ **all classifications** may be defined
15 by law~~[-, however subclasses (1), (2), and (3) shall not].~~

16 **(2)** No classification of real property shall be further divided~~[-, provided, land in~~
17 ~~subclass (2)].~~

18 **(3)** Agricultural and horticultural property may by general law be ~~[assessed]~~
19 **categorized** for property tax purposes on its productive capability. ~~[The same percentage of~~
20 ~~value shall be applied to all properties within any subclass. No classes or subclass shall have~~
21 ~~a percentage of its true value in money in excess of thirty three and one third percent.]~~

22 **4.** The general assembly shall, by general law, provide for the taxation of real
23 property under this article.

 Section 4(e). **1. Beginning January first of the second calendar year following**
2 **the adoption of this section, no political subdivision of this state shall levy or collect a**
3 **property tax on tangible or intangible personal property.**

2. (1) The general assembly may, by general law, replace all or some portion of revenues lost by a political subdivision because of the prohibition on the levy or collection of a property tax on tangible personal property under subsection 1 of this section if such political subdivision levied or collected a property tax on tangible personal property before January first of the second calendar year following the adoption of this section.

(2) Such general law shall include, but not be limited to, the following provisions:

(a) Authorization for a one-time adjustment to the levy of a property tax on the real property in each political subdivision that levied or collected a property tax on tangible personal property before January first of the second calendar year following the adoption of this section to replace lost revenues as provided in subdivision (1) of this subsection;

(b) Processes and procedures for assessors to notify taxpayers of the elimination of the personal property tax and the taxation of real property established under this article; and

(c) Processes and procedures for the collection of real property taxes levied under this article.

Section 4(f). 1. As provided in Article X, Sections 4(a) and 4(b) of the Constitution of Missouri, residential real property, agricultural and horticultural real property, and utility, industrial, commercial, railroad, and all other real property not included in residential real property or agricultural and horticultural real property shall be categorized for property tax purposes as provided in this section.

2. (1) Each parcel of residential real property shall be categorized into one of ten tiers based on the parcel's square footage and age to determine the parcel's real property tax tier factor.

(2) The real property tax tier factor shall be established to replace the assessed valuation of residential real property for property taxation purposes under this section beginning on January first of the second calendar year following the adoption of this section.

(3) Establishment of the tiers shall be subject to the following:

(a) The ten tiers shall be established by the state tax commission;

(b) Each tier shall be designed to allow each parcel to be assigned to the tier to which other parcels in this state with similar square footage and age are assigned;

(c) Such tiers may take into account other relevant characteristics of each parcel of such real property as assessed as of January first of the calendar year immediately preceding the calendar year in which the new method of real property taxation was adopted under Article X, Section 4(b) of the Constitution of Missouri;

21 (d) Such tiers shall be promulgated by regulation and published by the state tax
22 commission before January first of the second calendar year following the adoption of
23 this section and before January first every four years thereafter; and

24 (e) Such tiers shall be submitted to the general assembly for consideration in the
25 regular session of the general assembly immediately following the promulgation of such
26 regulation, subject to the following:

27 a. If the general assembly does not adopt a concurrent resolution rejecting a
28 regulation promulgated under this subdivision within the first sixty calendar days of the
29 regular session immediately following the promulgation of such regulation, the tiers
30 contained in such regulation shall become effective on January first of the immediately
31 following calendar year and remain effective until new tiers are established under this
32 subdivision; and

33 b. If the general assembly rejects a regulation promulgated under this
34 subdivision, the state tax commission shall continue to use tiers established in the most
35 recent preceding regulation promulgated under this subsection.

36 3. (1) The state tax commission shall establish a real property tax tier factor for
37 each tier for purposes of real property taxation under this article.

38 (2) Subsequent tier factors shall be established and adjusted as provided in this
39 section.

40 4. Agricultural and horticultural real property shall be graded and categorized
41 based on the parcel's productive capability as provided by general law.

42 5. Utility, industrial, commercial, railroad, and all other real property not
43 included in residential real property or agricultural and horticultural real property
44 shall be assessed in the same manner as such real property is assessed as provided under
45 state law.

46 6. (1) Each assessor shall categorize each parcel of residential real property
47 subject to the assessor's jurisdiction in the relevant tier established by the state tax
48 commission.

49 (2) A taxpayer may appeal the assessor's categorization of the taxpayer's
50 residential real property within a particular tier by means of the procedures available
51 under state law for appeals of the assessed valuation of residential real property in effect
52 before the effective date of this section.

53 (3) The assessor shall make information relating to the categorization of
54 residential real property available to the public at all times so that any taxpayer can
55 view the different tiers and categorizations of parcels of residential real property and
56 the residential real property tax tier factor for each tier.

57 7. (1) Each political subdivision levying a real property tax rate as of December
58 thirty-first of the calendar year immediately preceding January first of the second
59 calendar year following the adoption of this section shall levy tax rates for the political
60 subdivision's purposes on each parcel of residential real property based on such parcel's
61 real property tax tier factor.

62 (2) For the initial levy of real property tax rates following the adoption of this
63 section, subject to the adjustments described in subdivision (3) of this subsection, the tax
64 rate levied on each real property tax tier for each purpose for which the political
65 subdivision levied an equivalent tax rate before the effective date of this section shall be
66 the rate necessary to produce substantially the same amount of real property tax
67 revenue as was due on all parcels of residential real property within each parcel's tier
68 from all tax rates levied by the political subdivision based on the most recent assessment
69 conducted before the effective date of this section.

70 (3) (a) Each political subdivision may make a one-time adjustment to the initial
71 levy of real property tax rates following the adoption of this section to replace revenues
72 lost because of the prohibition on the levy or collection of a property tax on tangible or
73 intangible personal property under Article X, Section 4(e) of the Constitution of
74 Missouri.

75 (b) If a political subdivision makes a one-time adjustment under paragraph (a)
76 of this subdivision, such political subdivision shall decrease the initial levy of real
77 property tax rates levied under subdivision (2) of this subsection to account for
78 unprecedented increases in the assessed valuation of personal property caused in whole
79 or in part by the COVID-19 pandemic in such political subdivision, as determined by
80 the state tax commission.

81 (4) (a) As used in this subdivision, "additional tax abatement revenues" means
82 revenues derived from higher tax levies on real property inside a political subdivision
83 that has adopted any tax abatement or similar economic incentive authorized under
84 state law but outside an area subject to tax abatement within the political subdivision.

85 (b) Each political subdivision that adopts or has adopted any tax abatement or
86 similar economic incentive authorized under state law shall decrease the levy of real
87 property tax rates levied under this article to reduce the amount of tax revenues such
88 political subdivision received from additional tax abatement revenues.

89 8. (1) As used in this subsection, "over-the-quadrennium" means the November
90 of the calendar year immediately preceding January first of the year in which an
91 adjustment occurs under this subsection and the forty-seven months preceding such
92 November.

93 **(2) The state tax commission shall promulgate rules establishing adjustments to**
94 **the tiers and the residential real property tax tier factors established under this section,**
95 **subject to the following:**

96 **(a) Such residential real property tax tier factor adjustment shall be a**
97 **quadrennial adjustment based on increases in the general price level, as such term is**
98 **defined in Article X, Section 17 of the Constitution of Missouri, based on the general**
99 **price level report released in December of the year immediately preceding January first**
100 **of the year in which an adjustment occurs under this subsection;**

101 **(b) If such general price level report indicates that the over-the-quadrrennium**
102 **percent change is greater than zero but less than five percent, the residential real**
103 **property tax tier factors shall be increased by the same percentage as such over-the-**
104 **quadrrennium percent change;**

105 **(c) If such general price level report indicates that the over-the-quadrrennium**
106 **percent change is less than or equal to zero, the residential real property tax tier factors**
107 **shall not be adjusted; and**

108 **(d) If such general price level report indicates that the over-the-quadrrennium**
109 **percent change is greater than or equal to five percent, the residential real property tax**
110 **tier factors shall be increased by five percent.**

Section 5. All railroad corporations in this state, or doing business therein, shall be
2 subject to taxation for state, county, school, municipal and other purposes, on the real ~~and~~
3 ~~personal~~ property owned or used by them, and on their gross earnings, their net earnings,
4 their franchises and their capital stock.

Section 6. 1. All **real** property~~[-real and personal;]~~ of the state, counties and other
2 political subdivisions, and nonprofit cemeteries, and all real property used as a homestead as
3 defined by law of any citizen of this state who is a former prisoner of war, as defined by law,
4 and who has a total service-connected disability, shall be exempt from taxation~~[-all personal~~
5 ~~property held as industrial inventories, including raw materials, work in progress and finished~~
6 ~~work on 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].~~

9 2. All **real** property~~[-real and personal;]~~ not held for private or corporate profit and
10 used exclusively for religious worship, for schools and colleges, for purposes purely
11 charitable, for agricultural and horticultural societies, or for veterans' organizations may be
12 exempted from taxation by general law. ~~[In addition to the above, household goods, furniture,~~
13 ~~wearing apparel and articles of personal use and adornment owned and used by a person in his~~
14 ~~home or dwelling place may be exempt from taxation by general law but any such law may~~
15 ~~provide for approximate restitution to the respective political subdivisions of revenues lost by~~

16 reason of the exemption. All laws exempting from taxation property other than the property
17 enumerated in this article, shall be void. The provisions of this section exempting certain
18 personal property of manufacturers, refiners, distributors, wholesalers, and retail merchants
19 and establishments from taxation shall become effective, unless otherwise provided by law, in
20 each county on January 1 of the year in which that county completes its first general
21 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.]~~

Section 6(a). The general assembly may provide that **all or** a portion of the ~~[assessed~~
2 ~~valuation of]~~ real property actually occupied by the owner or owners thereof as a homestead,
3 be exempted from the payment of taxes thereon, in such amounts and upon such conditions as
4 may be determined by law, and the general assembly may provide for certain tax credits or
5 rebates in lieu of or in addition to such an exemption, ~~[but any such law shall further provide~~
6 ~~for restitution to the respective political subdivisions of revenues lost, if any, by reason of the~~
7 ~~exemption,]~~ and any such law may also provide for comparable financial relief to persons
8 who are not the owners of homesteads but who occupy rental property as their homes.

Section 8. The state tax on real ~~[and tangible personal]~~ property, exclusive of the tax
2 necessary to pay any bonded debt of the state, shall not exceed ~~[ten cents on the hundred~~
3 ~~dollars assessed valuation]~~ **the rate established by general law.**

Section 11(a). Taxes may be levied by counties and other political subdivisions on all
2 **real** property subject to their taxing power, but the ~~[assessed valuation]~~ **classification for**
3 **property taxation purposes** therefor in such other political subdivisions shall not exceed the
4 ~~[assessed valuation]~~ **classification for property taxation purposes** of the same **real** property
5 for state and county purposes.

Section 11(c). **1. Except as otherwise provided in this section,** in all municipalities,
2 counties, and school districts the rates of taxation as ~~[herein]~~ **limited in this article** may be
3 increased for their respective purposes when the rate and purpose of the increase are
4 submitted to a vote and two-thirds of the qualified electors voting thereon ~~[shall]~~ vote
5 ~~[therefor; provided]~~ **to approve the increase.**

6 **2. (1)** In school districts, the rate of taxation as ~~[herein]~~ **limited in this article** may be
7 increased for school purposes ~~[so that the total levy shall not exceed six dollars on the~~
8 ~~hundred dollars assessed valuation, except as herein provided,]~~ **as provided by general law**
9 when the rate and the purpose of the increase are submitted to a vote and a majority of the
10 qualified electors voting thereon ~~[shall]~~ vote ~~[therefor; provided, that]~~ **to approve the**
11 **increase.**

12 **(2)** In any school district where the board of education is not proposing a higher tax
13 rate for school purposes, the last tax rate approved shall continue and the tax rate need not be
14 submitted to the voters~~[- provided, that].~~

15 **(3)** In school districts where the qualified voters have voted against a proposed higher
16 tax rate for school purposes, then the rate shall remain at the rate approved in the last previous

17 school election except that the board of education shall be free to resubmit any higher tax rate
18 at any time~~[-; provided that].~~

19 (4) Any board of education may levy a lower tax rate than approved by the voters as
20 authorized by any provision of this section~~[-; and provided, that].~~

21 3. The rates ~~[herein]~~ **fixed in this article**, and the amounts by which they may be
22 increased, may be further limited by **general law**~~[-; and provided further, that].~~

23 4. Any county or other political subdivision, when authorized by law and within the
24 limits fixed by law, may levy a rate of taxation on all property subject to its taxing powers in
25 excess of the rates ~~[herein]~~ **limited[-] in this article** for library, hospital, public health,
26 recreation grounds, and museum purposes.

Section 11(g). 1. The school board of any school district whose operating levy for
2 school purposes for the 1995 tax year was established pursuant to a federal court order may
3 establish the operating levy for school purposes for the district at a rate that is lower than the
4 court-ordered rate for the 1995 tax year. The rate so established may be changed from year to
5 year by the school board of the district. Approval by a majority of the voters of the district
6 voting thereon shall be required for any operating levy for school purposes equal to or greater
7 than the rate established by court order for the 1995 tax year. The authority granted in this
8 section shall apply to any successor school district or successor school districts of such school
9 district.

10 2. **This section shall expire on December thirty-first of the calendar year**
11 **immediately following the adoption of this section.**

Section 12(a). 1. In addition to the rates authorized in ~~[section 11]~~ **this article** for
2 county purposes, the county ~~[court]~~ **commission** in the several counties not under township
3 organization, the township board of directors in the counties under township organization, and
4 the proper administrative body in counties adopting an alternative form of government, may
5 levy an additional tax, not exceeding ~~[fifty cents on each hundred dollars assessed valuation]~~
6 **the rate authorized by general law**, all of such tax to be collected and turned in to the
7 county treasury to be used for road and bridge purposes~~[-; provided that].~~

8 2. Before any such county may increase its tax levy for road and bridge purposes
9 ~~[above thirty-five cents]~~ **as described in subsection 1 of this section**, it must submit such
10 increase to the qualified voters of that county at a general or special election and receive the
11 approval of a majority of the voters voting on such increase.

12 3. In addition to the above levy for road and bridge purposes, it shall be the duty of
13 the county ~~[court]~~ **commission**, when so authorized by a majority of the qualified electors of
14 any road district, general or special, voting thereon at an election held for such purpose, to
15 make an additional levy ~~[of]~~ not to exceed ~~[thirty-five cents on the hundred dollars assessed~~
16 ~~valuation]~~ **the rate authorized by general law** on all taxable real ~~[and tangible personal]~~

17 property within such district, to be collected in the same manner as state and county taxes, and
18 placed to the credit of the road district authorizing such levy, such election to be called and
19 held in the manner provided by law provided that the general assembly may require by law
20 that the rates authorized ~~[herein]~~ **in this article** may be reduced.

Section 22. ~~[(a)]~~ Counties and other political subdivisions are hereby prohibited from
2 levying any tax, license or fees, not authorized by law, charter or self-enforcing provisions of
3 the constitution when this section is adopted or from increasing the current levy of an existing
4 tax, license or fees, above that current levy authorized by law or charter when this section is
5 adopted without the approval of the required majority of the qualified voters of that county or
6 other political subdivision voting thereon. If the definition of the base of an existing tax,
7 license or fees, is broadened, the maximum authorized current levy of taxation on the new
8 base in each county or other political subdivision shall be reduced to yield the same estimated
9 gross revenue as on the prior base. If the assessed valuation of property as finally equalized~~;~~
10 ~~excluding the value of new construction and improvements,~~ increases by a larger percentage
11 than the increase in the general price level from the previous year, the maximum authorized
12 current levy applied thereto in each county or other political subdivision shall be reduced to
13 yield the same gross revenue from existing property, adjusted for changes in the general price
14 level, as could have been collected at the existing authorized levy on the prior assessed value.

15 ~~[(b) The limitations of this section shall not apply to taxes imposed for the payment of~~
16 ~~principal and interest on bonds or other evidence of indebtedness or for the payment of~~
17 ~~assessments on contract obligations in anticipation of which bonds are issued which were~~
18 ~~authorized prior to the effective date of this section.]~~

2 ~~[Section 4(c). All taxes on property in class 3 and its subclasses, and~~
3 ~~the tax under any other form of taxation substituted by the general assembly~~
4 ~~for the tax on bank shares, shall be assessed, levied and collected by the state~~
5 ~~and returned as provided by law, less two percent for collection, to the counties~~
6 ~~and other political subdivisions of their origin, in proportion to the respective~~
~~local rates of levy.]~~

2 ~~[Section 6(b). The general assembly may by general law exempt from~~
3 ~~taxation all intangible property, including taxation on the yield thereof, when~~
4 ~~owned by:~~
5 ~~(1) Individuals; or~~
6 ~~(2) Labor, agricultural or horticultural organizations; or~~
7 ~~(3) Corporations or associations organized and operated exclusively~~
8 ~~for religious, charitable, scientific or educational purposes, no part of the net~~
9 ~~income of which inures to the benefit of any private stockholder or individual;~~
10 ~~or~~
11 ~~(4) Hospitals which are exempt from payment of Missouri state~~
12 ~~income tax.—~~

13 ~~Any such law may provide for approximate reimbursement to the various~~
14 ~~political subdivisions, by the state, of revenues lost because of the exemption.]~~

2 ~~[Section 11(b). Any tax imposed upon such property by~~
3 ~~municipalities, counties or school districts, for their respective purposes,~~
4 ~~shall not exceed the following annual rates:~~

5 ~~For municipalities one dollar on the hundred dollars assessed~~
6 ~~valuation;~~

7 ~~For counties thirty five cents on the hundred dollars assessed~~
8 ~~valuation in counties having three hundred million dollars, or more,~~
9 ~~assessed valuation and having by operation of law attained the classification~~
10 ~~of a county of the first class; and fifty cents on the hundred dollars assessed~~
11 ~~valuation in all other counties;~~

12 ~~For school districts formed of cities and towns, including the school~~
13 ~~district of the city of St. Louis two dollars and seventy five cents on the~~
14 ~~hundred dollars assessed valuation;~~

15 ~~For all other school districts sixty five cents on the hundred dollars~~
~~assessed valuation.]~~

2 ~~[Section 11(e). The foregoing limitations on rates shall not apply to~~
~~taxes levied for the purpose of paying any bonded debt.]~~

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