

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 122

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PERKINS.

5222H.011

DANA RADEMAN MILLER, Chief Clerk

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 exemptions.

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, 2022, 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Section A. Section 6, Article X, Constitution of Missouri, is repealed and one new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 **of citizens of this state who are sixty-five years of age or older shall be exempt from**
6 **taxation;** all personal property held as industrial inventories, including raw materials, work in
7 progress and finished work on hand, by manufacturers and refiners, and all personal property
8 held as goods, wares, merchandise, stock in trade or inventory for resale by distributors,
9 wholesalers, or retail merchants or establishments shall be exempt from taxation; and all

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 property, real and personal, not held for private or corporate profit and used exclusively for
11 religious worship, for schools and colleges, for purposes purely charitable, for agricultural
12 and horticultural societies, or for veterans' organizations may be exempted from taxation by
13 general law. In addition to the above, household goods, furniture, wearing apparel and
14 articles of personal use and adornment owned and used by a person in his home or dwelling
15 place may be exempt from taxation by general law but any such law may provide for
16 approximate restitution to the respective political subdivisions of revenues lost by reason of
17 the exemption. All laws exempting from taxation property other than the property
18 enumerated in this article, shall be void. The provisions of this section exempting certain
19 personal property of manufacturers, refiners, distributors, wholesalers, and retail merchants
20 and establishments from taxation shall become effective, unless otherwise provided by law, in
21 each county on January 1 of the year in which that county completes its first general
22 reassessment as defined by law.

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

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

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

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

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