

FIRST REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 46

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KIRKTON.

2632L.011

D. ADAM CRUMBLISS, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing section 4(b) of article X of the Constitution of Missouri, and adopting one new section in lieu thereof relating to land value taxation.

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, 2016, 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Section A. Section 4(b), article X, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as section 4(b), to read as follows:

Section 4(b). **1.** Property in classes 1 and 2 and subclasses of those classes, shall be assessed for tax purposes at its value or such percentage of its value as may be fixed by law for each class and for each subclass. Property in class 3 and its subclasses shall be taxed only to the extent authorized and at the rate fixed by law for each class and subclass, and the tax shall be based on the annual yield and shall not exceed eight percent thereof. Property in class 1 shall be subclassed in the following classifications:

- (1) Residential property;
- (2) Agricultural and horticultural property;
- (3) Utility, industrial, commercial, railroad, and all other property not included in subclasses (1) and (2) of class 1. Property in the subclasses of class 1 may be defined by law, however subclasses (1), (2), and (3) shall not be further divided, provided, land in subclass (2)

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.

12 may by general law be assessed for tax purposes on its productive capability. The same
13 percentage of value shall be applied to all properties within any subclass. No classes or subclass
14 shall have a percentage of its true value in money in excess of thirty-three and one-third percent.

15 **2. Notwithstanding the provisions of subsection 1 of this section, a pilot program**
16 **may be established by no more than three cities within the state to develop a plan for**
17 **implementation of land value taxation within the borders of such cities which further**
18 **divides class 1 property into subclass (4), land or land exclusive of buildings, and subclass**
19 **(5), buildings on land. The state tax commission shall establish an application procedure**
20 **and any other criteria for the pilot program and shall notify the governing body of each**
21 **city within the state of the program and application process. Upon selection by the state**
22 **tax commission, the governing body of each city shall appoint a committee consisting of (1)**
23 **a representative of the governing body; (2) a representative of the local business**
24 **community; (3) a land use attorney; and (4) any citizen of the city deemed relevant by the**
25 **governing body. The committee shall prepare a plan for implementation which shall**
26 **include the following: (1) a process for implementation of differentiated tax rates; (2)**
27 **designation of geographic areas within the city in which the differentiated tax rates shall**
28 **apply; and (3) identification of any legal or administrative issues affecting the plan. Upon**
29 **approval by the committee, the plan shall be submitted to the state tax commission for its**
30 **review. The plan shall go into effect January first following the year in which the state tax**
31 **commission approves the plan. The general assembly may provide by law for changes to**
32 **any plan or its procedures or to direct the commission to approve a particular plan.**

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