

FIRST REGULAR SESSION

SENATE BILL NO. 364

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Read 1st time January 26, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1668S.011

AN ACT

To repeal section 137.021, RSMo, and to enact in lieu thereof one new section relating to agricultural land values.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 137.021, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 137.021, to read as follows:

137.021. 1. The assessor, in grading land which is devoted primarily to
2 the raising and harvesting of crops, to the feeding, breeding and management of
3 livestock, to dairying, or to any combination thereof, as defined in section
4 137.016, pursuant to the provisions of sections 137.017 to 137.021, shall in
5 addition to the assessor's personal knowledge, judgment and experience, consider
6 soil surveys, decreases in land valuation due to natural disasters, level of flood
7 protection, governmental regulations limiting the use of such land, the estate held
8 in such land, and other relevant information. On or before December thirty-first
9 of each odd-numbered year, the state tax commission shall promulgate by
10 regulation and publish a value based on productive capability for each of the
11 several grades of agricultural and horticultural land. If such rules are not
12 disapproved by the general assembly in the manner set out below, they shall take
13 effect on January first of the next odd-numbered year. Such values shall be based
14 upon soil surveys, soil productivity indexes, production costs, crop yields,
15 appropriate capitalization rates and any other pertinent factors, all of which may
16 be provided by the college of agriculture of the University of Missouri, and shall
17 be used by all county assessors in conjunction with their land grades in
18 determining assessed values. Any regulation promulgated pursuant to this
19 subsection shall be deemed to be beyond the scope and authority provided in this
20 subsection if the general assembly, within the first sixty calendar days of the
21 regular session immediately following the promulgation of such regulation, by
22 concurrent resolution, shall disapprove the values contained in such regulation.

23 If the general assembly so disapproves any regulation promulgated pursuant to
24 this subsection, the state tax commission shall continue to use values set forth
25 in the most recent preceding regulation promulgated pursuant to this subsection.

26 2. When land that is agricultural and horticultural property, as defined
27 in section 137.016, and is being valued and assessed for general property tax
28 purposes pursuant to the provisions of sections 137.017 to 137.021 becomes
29 property other than agricultural and horticultural property, as defined in section
30 137.016, it shall be reassessed as of the following January first.

31 3. Separation or split-off of a part of the land which is being valued and
32 assessed for general property tax purposes pursuant to the provisions of sections
33 137.017 to 137.021, either by conveyance or other action of the owner of the land,
34 so that such land is no longer agricultural and horticultural property, as defined
35 in section 137.016, shall subject the land so separated to reassessment as of the
36 following January first. This shall not impair the right of the remaining land to
37 continuance of valuation and assessment for general property tax purposes
38 pursuant to the provisions of sections 137.017 to 137.021.

39 **4. The state tax commission shall not promulgate a rule**
40 **increasing agricultural land productive values more than two percent**
41 **above the values in effect prior to the rule promulgation or eight**
42 **percent above the lowest value in effect in any of the ten years prior to**
43 **the rule promulgation. No agricultural land shall have its productive**
44 **values increased if the land is located in a county that has been**
45 **affected by a natural disaster as declared by the United States**
46 **Department of Agriculture within the previous two years.**

47 **5. The state tax commission shall not promulgate a rule**
48 **increasing agricultural land productive values if there has been a**
49 **substantial decrease in global agricultural product prices in the**
50 **previous two years. The determination of the occurrence of a**
51 **substantial decrease in global agricultural product prices shall be by**
52 **a concurrence of a majority of the following persons: the director of**
53 **the department of agriculture, the chairman of the house of**
54 **representatives committee on agriculture policy or its successor**
55 **committee, and the chairman of the senate committee on agriculture,**
56 **food production, and outdoor resources or its successor committee.**

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