

FIRST REGULAR SESSION

# SENATE JOINT RESOLUTION NO. 28

100TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR HOLSMAN.

Read 1st time February 27, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2409S.011

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## 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 exemptions from property tax.

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*Be it resolved by the Senate, the House of Representatives concurring therein:*

That at the next general election to be held in the state of Missouri, on  
2 Tuesday next following the first Monday in November, 2020, or at a special  
3 election to be called by the governor for that purpose, there is hereby submitted  
4 to the qualified voters of this state, for adoption or rejection, the following  
5 amendment to article X of the Constitution of the state of Missouri:

Section A. Section 6, article X, Constitution of Missouri, is repealed and  
2 one new section adopted in lieu thereof, to be known as section 6, to read as  
3 follows:

Section 6. 1. All property, real and personal, of the state, counties and  
2 other political subdivisions, and nonprofit cemeteries, and all real property used  
3 as a homestead as defined by law of any citizen of this state who is a former  
4 prisoner of war, as defined by law, and who has a total service-connected  
5 disability, shall be exempt from taxation; all personal property held as industrial  
6 inventories, including raw materials, work in progress and finished work on hand,  
7 by manufacturers and refiners, and all personal property held as goods, wares,  
8 merchandise, stock in trade or inventory for resale by distributors, wholesalers,  
9 or retail merchants or establishments shall be exempt from taxation; **all**  
10 **personal property in excess of ten years old shall be exempt from**  
11 **taxation** and all property, real and personal, not held for private or corporate  
12 profit and used exclusively for religious worship, for schools and colleges, for  
13 purposes purely charitable, for agricultural and horticultural societies, or for  
14 veterans' organizations may be exempted from taxation by general law. In

15 addition to the above, household goods, furniture, wearing apparel and articles  
16 of personal use and adornment owned and used by a person in his home or  
17 dwelling place may be exempt from taxation by general law but any such law may  
18 provide for approximate restitution to the respective political subdivisions of  
19 revenues lost by reason of the exemption. All laws exempting from taxation  
20 property other than the property enumerated in this article, shall be void. The  
21 provisions of this section exempting certain personal property of manufacturers,  
22 refiners, distributors, wholesalers, and retail merchants and establishments from  
23 taxation shall become effective, unless otherwise provided by law, in each county  
24 on January 1 of the year in which that county completes its first general  
25 reassessment as defined by law.

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

48           3. Any increase in the tax rate imposed pursuant to subsection 2 of this  
49 section shall be decreased if such decrease is approved by a majority of the voters  
50 of the county voting on such decrease. A decrease in the increased tax rate

51 imposed under subsection 2 of this section may be submitted to the voters of a  
52 county by the governing body thereof upon its own order, ordinance, or resolution  
53 and shall be submitted upon the petition of at least eight percent of the qualified  
54 voters who voted in the immediately preceding gubernatorial election.

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

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