

SECOND REGULAR SESSION

SENATE JOINT RESOLUTION NO. 58

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR LUETKEMEYER.

3794S.01I

KRISTINA MARTIN, Secretary

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 property tax exemptions.

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

That at the next general election to be held in the
2 state of Missouri, on Tuesday next following the first Monday
3 in November, 2024, or at a special election to be called by
4 the governor for that purpose, there is hereby submitted to
5 the qualified voters of this state, for adoption or
6 rejection, the following amendment to article X of the
7 Constitution of the state of Missouri:

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2 is repealed and one new section adopted in lieu thereof, to be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

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

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

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

35 2. All revenues lost because of the exemption of
36 certain personal property of manufacturers, refiners,
37 distributors, wholesalers, and retail merchants and
38 establishments shall be replaced to each taxing authority
39 within a county from a countywide tax hereby imposed on all
40 property in subclass 3 of class 1 in each county. For the
41 year in which the exemption becomes effective, the county
42 clerk shall calculate the total revenue lost by all taxing

43 authorities in the county and extend upon all property in
44 subclass 3 of class 1 within the county, a tax at the rate
45 necessary to produce that amount. The rate of tax levied in
46 each county according to this subsection shall not be
47 increased above the rate first imposed and will stand levied
48 at that rate unless later reduced according to the
49 provisions of subsection 3. The county collector shall
50 disburse the proceeds according to the revenue lost by each
51 taxing authority because of the exemption of such property
52 in that county. Restitution of the revenues lost by any
53 taxing district contained in more than one county shall be
54 from the several counties according to the revenue lost
55 because of the exemption of property in each county. Each
56 year after the first year the replacement tax is imposed,
57 the amount distributed to each taxing authority in a county
58 shall be increased or decreased by an amount equal to the
59 amount resulting from the change in that district's total
60 assessed value of property in subclass 3 of class 1 at the
61 countywide replacement tax rate. In order to implement the
62 provisions of this subsection, the limits set in section
63 11(b) of this article may be exceeded, without voter
64 approval, if necessary to allow each county listed in
65 section 11(b) to comply with this subsection.

66 3. Any increase in the tax rate imposed pursuant to
67 subsection 2 of this section shall be decreased if such
68 decrease is approved by a majority of the voters of the
69 county voting on such decrease. A decrease in the increased
70 tax rate imposed under subsection 2 of this section may be
71 submitted to the voters of a county by the governing body
72 thereof upon its own order, ordinance, or resolution and
73 shall be submitted upon the petition of at least eight

74 percent of the qualified voters who voted in the immediately
75 preceding gubernatorial election.

76 4. **(1)** As used in this section, the terms "revenues
77 lost" and "lost revenues" shall mean that revenue which each
78 taxing authority received from the imposition of a tangible
79 personal property tax on all personal property held as
80 industrial inventories, including raw materials, work in
81 progress and finished work on hand, by manufacturers and
82 refiners, and all personal property held as goods, wares,
83 merchandise, stock in trade or inventory for resale by
84 distributors, wholesalers, or retail merchants or
85 establishments in the last full tax year immediately
86 preceding the effective date of the exemption from taxation
87 granted for such property under subsection 1 of this
88 section, and which was no longer received after such
89 exemption became effective.

90 **(2)** As used in this section, the term "disabled
91 veteran" shall mean an individual who:

92 **(a)** Is a resident of this state;

93 **(b)** Has been separated under honorable conditions from
94 active service in:

95 **a.** Any branch of the Armed Forces of the United States;

96 **b.** Any reserve component of the Armed Forces of the
97 United States;

98 **c.** The National Guard of this state as defined in 32
99 U.S.C. Section 101, as amended; or

100 **d.** Any defense force of this state as described in 32
101 U.S.C. Section 109, as amended; and

102 **(c)** Has been certified by the United States Department
103 of Veterans Affairs or its successor agency to be in receipt
104 of disability compensation at the one hundred percent rate
105 as a result of a service-connected disability claim allowed

106 **by the United States Department of Veterans Affairs, with**
107 **such disability being permanent and sustained through**
108 **military action or accident or resulting from disease**
109 **contracted while in such active service.**

Section B. Pursuant to chapter 116, and other
2 applicable constitutional provisions and laws of this state
3 allowing the general assembly to adopt ballot language for
4 the submission of this joint resolution to the voters of
5 this state, the official summary statement of this
6 resolution shall be as follows:

7 "Shall the Missouri Constitution be amended to
8 exempt veterans of the Armed Forces with a total
9 service-connected disability from property tax
10 on the veteran's real property?"

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