

SENATE JOINT RESOLUTION NO. 59

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRATTIN.

5807S.03I

ADRIANE D. CROUSE, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 26 of article X of the Constitution of Missouri, and adopting two new sections in lieu thereof relating to the taxation of real property.

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, 2022, 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 26, article X, Constitution of
2 Missouri, is repealed and two new sections adopted in lieu
3 thereof, to be known as sections 4(e) and 26, to read as
4 follows:

**Section 4(e). 1. Notwithstanding any provision of
2 this article to the contrary, for all years beginning on or
3 after January 1, 2024, no county or political subdivision
4 shall be authorized to levy or collect a tax on property in
5 class 1.**

**2. In lieu of an ad valorem tax on property in class
7 1, beginning January 1, 2024, a county shall impose a sales
8 tax on the sale of property in class 1 at a rate equal to
9 the total combined rate of sales taxes in effect at the**

10 location of the property, including the state sales tax
11 rate, provided that all revenue generated by such tax shall
12 be collected and distributed by the county in the same
13 manner as the ad valorem property tax levied prior to
14 January 1, 2024. A taxpayer shall select one of the
15 following methods to remit the tax imposed by this
16 subsection:

17 (1) The taxpayer shall remit all tax due to the county
18 collector upon the transfer of title of the property;

19 (2) The taxpayer shall remit ten percent of the sales
20 tax due to the county collector upon the transfer of title
21 of the property. The remaining amount of sales tax due
22 shall be remitted to the county collector five years after
23 the date of the transfer of title of the property and which
24 shall be paid in equal annual installments;

25 (3) The taxpayer shall remit ten percent of the sales
26 tax due to the county collector upon the transfer of title
27 of the property. The remaining amount of sales tax due
28 shall be remitted to the county collector ten years after
29 the date of the transfer of title of the property and which
30 shall be paid in equal annual installments; or

31 (4) The taxpayer shall remit ten percent of the sales
32 tax due to the county collector upon the transfer of title
33 of the property. The remaining amount of sales tax due
34 shall be remitted to the county collector fifteen years
35 after the date of the transfer of title of the property and
36 which shall be paid in equal annual installments.

37 Financial institutions that are mortgage servicers shall pay
38 sales tax obligations which they service from escrow
39 accounts in one payment by the required due date.

40 3. In lieu of an ad valorem tax on property in class
41 1, beginning January 1, 2024, a county shall impose a tax on
42 property in class 1 that was purchased prior to January 1,
43 2024, by the taxpayer owning such property as of January 1,
44 2024, in an amount equal to the total combined rate of sales
45 taxes in effect at the location of the property, including
46 the state sales tax rate, multiplied by the remaining
47 mortgage balance on such property as of January 1, 2024,
48 provided that all revenue generated by such tax shall be
49 collected and distributed by the county in the same manner
50 as the ad valorem property tax levied prior to January 1,
51 2024. A taxpayer shall select one of the following methods
52 to remit the tax imposed by this subsection:

53 (1) The taxpayer shall remit all tax due to the county
54 collector no later than December 31, 2024;

55 (2) The taxpayer shall remit all tax due to the county
56 collector no later than December 31, 2029, which shall be
57 paid in equal annual installments;

58 (3) The taxpayer shall remit all tax due to the county
59 collector no later than December 31, 2034, which shall be
60 paid in equal annual installments;

61 (4) The taxpayer shall remit all tax due to the county
62 collector no later than December 31, 2039, which shall be
63 paid in equal annual installments;

64 Financial institutions that are mortgage servicers shall pay
65 such tax obligations which they service from escrow accounts
66 in one payment by the required due date.

 Section 26. In order to prohibit an increase in the
2 tax burden on the citizens of Missouri, state and local
3 sales and use taxes (or any similar transaction-based tax)
4 shall not be expanded to impose taxes on any service or

5 transaction that was not subject to sales, use or similar
6 transaction-based tax on January 1, 2015, **except for**
7 **purchases of real property taxed pursuant to section 4(e) of**
8 **this article.**

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