

SECOND REGULAR SESSION

HOUSE BILL NO. 1636

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE TERRY.

3545H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 135.010, 135.025, and 135.030, RSMo, and to enact in lieu thereof five new sections relating to property tax credits.

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

Section A. Sections 135.010, 135.025, and 135.030, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 135.010, 135.025, 135.030, 137.104, and 137.107, to read as follows:

135.010. As used in sections 135.010 to 135.030 the following words and terms mean:

(1) "Claimant", a person or persons claiming a credit under sections 135.010 to 135.030. If the persons are eligible to file a joint federal income tax return and reside at the same address at any time during the taxable year, then the credit may only be allowed if claimed on a combined Missouri income tax return or a combined claim return reporting their combined incomes and property taxes. A claimant shall not be allowed a property tax credit unless the claimant or spouse has attained the age of sixty-five on or before the last day of the calendar year and the claimant or spouse was a resident of Missouri for the entire year, or the claimant or spouse is a veteran of any branch of the Armed Forces of the United States or this state who became one hundred percent disabled as a result of such service, or the claimant or spouse is disabled as defined in subdivision (2) of this section, and such claimant or spouse provides proof of such disability in such form and manner, and at such times, as the director of revenue may require, or if the claimant has reached the age of sixty on or before the last day of the calendar year and such claimant received surviving spouse Social Security benefits during the calendar year and the claimant provides proof, as required by the director of

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.

17 revenue, that the claimant received surviving spouse Social Security benefits during the
18 calendar year for which the credit will be claimed. A claimant shall not be allowed a property
19 tax credit if the claimant filed a valid claim for a credit under section 137.106 in the year
20 following the year for which the property tax credit is claimed. The residency requirement
21 shall be deemed to have been fulfilled for the purpose of determining the eligibility of a
22 surviving spouse for a property tax credit if a person of the age of sixty-five years or older
23 who would have otherwise met the requirements for a property tax credit dies before the last
24 day of the calendar year. The residency requirement shall also be deemed to have been
25 fulfilled for the purpose of determining the eligibility of a claimant who would have
26 otherwise met the requirements for a property tax credit but who dies before the last day of
27 the calendar year;

28 (2) "Disabled", the inability to engage in any substantial gainful activity by reason of
29 any medically determinable physical or mental impairment which can be expected to result in
30 death or which has lasted or can be expected to last for a continuous period of not less than
31 twelve months. A claimant shall not be required to be gainfully employed prior to such
32 disability to qualify for a property tax credit;

33 (3) "Gross rent", amount paid by a claimant to a landlord for the rental, at arm's
34 length, of a homestead during the calendar year, exclusive of charges for health and personal
35 care services and food furnished as part of the rental agreement, whether or not expressly set
36 out in the rental agreement. If the director of revenue determines that the landlord and tenant
37 have not dealt at arm's length, and that the gross rent is excessive, then he shall determine the
38 gross rent based upon a reasonable amount of rent. Gross rent shall be deemed to be paid
39 only if actually paid prior to the date a return is filed. The director of revenue may prescribe
40 regulations requiring a return of information by a landlord receiving rent, certifying for a
41 calendar year the amount of gross rent received from a tenant claiming a property tax credit
42 and shall, by regulation, provide a method for certification by the claimant of the amount of
43 gross rent paid for any calendar year for which a claim is made. The regulations authorized
44 by this subdivision may require a landlord or a tenant or both to provide data relating to health
45 and personal care services and to food. Neither a landlord nor a tenant may be required to
46 provide data relating to utilities, furniture, home furnishings or appliances;

47 (4) "Homestead", the dwelling in Missouri owned or rented by the claimant and not to
48 exceed five acres of land surrounding it as is reasonably necessary for use of the dwelling as a
49 home. It may consist of part of a multidwelling or multipurpose building and part of the land
50 upon which it is built. "Owned" includes a vendee in possession under a land contract and
51 one or more tenants by the entireties, joint tenants, or tenants in common and includes a
52 claimant actually in possession if he was the immediate former owner of record, if a lineal

53 descendant is presently the owner of record, and if the claimant actually pays all taxes upon
54 the property. It may include a mobile home;

55 (5) "Income", Missouri adjusted gross income as defined in section 143.121 less two
56 thousand dollars **for all calendar years ending on or before December 31, 2024**, or in the
57 case of a homestead owned and occupied, for the entire year, by the claimant, less four
58 thousand dollars as an exemption for the claimant's spouse residing at the same address **for**
59 **all calendar years ending on or before December 31, 2024, or for all calendar years**
60 **beginning on or after January 1, 2025, less two thousand eight hundred dollars, or in the**
61 **case of a homestead owned and occupied, for the entire year, by the claimant, less five**
62 **thousand eight hundred dollars, as an exemption for the claimant's spouse residing at**
63 **the same address;** and increased, where necessary, to reflect the following:

64 (a) Social Security, railroad retirement, and veterans payments and benefits unless the
65 claimant is a one hundred percent service-connected, disabled veteran or a spouse of a one
66 hundred percent service-connected, disabled veteran. The one hundred percent service-
67 connected disabled veteran shall not be required to list veterans payments and benefits;

68 (b) The total amount of all other public and private pensions and annuities;

69 (c) Public relief, public assistance, and unemployment benefits received in cash, other
70 than benefits received under this chapter;

71 (d) No deduction being allowed for losses not incurred in a trade or business;

72 (e) Interest on the obligations of the United States, any state, or any of their
73 subdivisions and instrumentalities;

74 (6) "Property taxes accrued", property taxes paid, exclusive of special assessments,
75 penalties, interest, and charges for service levied on a claimant's homestead in any calendar
76 year. Property taxes shall qualify for the credit only if actually paid prior to the date a return
77 is filed. The director of revenue shall require a tax receipt or other proof of property tax
78 payment. If a homestead is owned only partially by claimant, then "property taxes accrued" is
79 that part of property taxes levied on the homestead which was actually paid by the claimant.
80 For purposes of this subdivision, property taxes are "levied" when the tax roll is delivered to
81 the director of revenue for collection. If a claimant owns a homestead part of the preceding
82 calendar year and rents it or a different homestead for part of the same year, "property taxes
83 accrued" means only taxes levied on the homestead both owned and occupied by the
84 claimant, multiplied by the percentage of twelve months that such property was owned and
85 occupied as the homestead of the claimant during the year. When a claimant owns and
86 occupies two or more different homesteads in the same calendar year, property taxes accrued
87 shall be the sum of taxes allocable to those several properties occupied by the claimant as a
88 homestead for the year. If a homestead is an integral part of a larger unit such as a farm, or
89 multipurpose or multidwelling building, property taxes accrued shall be that percentage of the

90 total property taxes accrued as the value of the homestead is of the total value. For purposes
91 of this subdivision "unit" refers to the parcel of property covered by a single tax statement of
92 which the homestead is a part;

93 (7) "Rent constituting property taxes accrued", twenty percent of the gross rent paid
94 by a claimant and spouse in the calendar year.

135.025. The property taxes accrued and rent constituting property taxes accrued on
2 each return shall be totaled. This total, up to seven hundred fifty dollars in rent constituting
3 property taxes actually paid or eleven hundred dollars in actual property tax paid, shall be
4 used in determining the property tax credit, **for all calendar years ending on or before**
5 **December 31, 2024. For all calendar years beginning on or after January 1, 2025, this**
6 **total, up to one thousand fifty-five dollars in rent constituting property taxes actually**
7 **paid or one thousand five hundred fifty dollars in actual property tax paid, shall be used**
8 **in determining the property tax credit. Beginning January 1, 2026, the maximum**
9 **property tax credit totals under this section shall be increased annually for inflation**
10 **based on the percentage increase in the Consumer Price Index for All Urban Consumers**
11 **for the United States as reported by the Bureau of Labor Statistics, or its successor**
12 **index.** The director of revenue shall prescribe regulations providing for allocations where
13 part of a claimant's homestead is rented to another or used for nondwelling purposes or where
14 a homestead is owned or rented or used as a dwelling for part of a year.

135.030. 1. As used in this section:

2 (1) The term "maximum upper limit" shall, for each calendar year after December 31,
3 1997, but before calendar year 2008, be the sum of twenty-five thousand dollars. For all
4 calendar years beginning on or after January 1, 2008, **but ending on or before December 31,**
5 **2024,** the maximum upper limit shall be the sum of twenty-seven thousand five hundred
6 dollars. In the case of a homestead owned and occupied for the entire year by the claimant,
7 **for all calendar years ending on or before December 31, 2024,** the maximum upper limit
8 shall be the sum of thirty thousand dollars. **For all calendar years beginning on or after**
9 **January 1, 2025, the maximum upper limit shall be the sum of thirty-eight thousand two**
10 **hundred dollars or in the case of a homestead owned and occupied for the entire year by**
11 **the claimant, the maximum upper limit shall be the sum of forty-two thousand two**
12 **hundred dollars. Beginning January 1, 2026, the maximum upper limits shall be**
13 **increased annually for inflation based on the percentage increase in the Consumer Price**
14 **Index for All Urban Consumers for the United States as reported by the Bureau of**
15 **Labor Statistics, or its successor index;**

16 (2) The term "minimum base" shall, for each calendar year after December 31, 1997,
17 but before calendar year 2008, be the sum of thirteen thousand dollars. For all calendar years

18 beginning on or after January 1, 2008, the minimum base shall be the sum of fourteen
 19 thousand three hundred dollars.

20 2. (1) If the income on a return is equal to or less than the maximum upper limit for
 21 the calendar year for which the return is filed, the property tax credit shall be determined from
 22 a table of credits based upon the amount by which the total property tax described in section
 23 135.025 exceeds the percent of income in the following list:

If the income on the return is:	The percent is:
Not over the minimum base	For all calendar years ending on or before December 31, 2024, 0 percent with credit not to exceed \$1,100 in actual property tax or rent equivalent paid up to \$750 and for all calendar years beginning on or after January 1, 2025, 0 percent with credit not to exceed \$1,550 in actual property tax or rent equivalent paid up to \$1,055, as adjusted for inflation.
Over the minimum base but not over the maximum upper limit	For all calendar years ending on or before December 31, 2024, 1/16 percent accumulative per \$300 from 0 percent to 4 percent and for all calendar years beginning on or after January 1, 2025, 1/16 percent accumulative per \$495 from 0 percent to 4 percent, as adjusted for inflation.

45 (2) The director of revenue shall prescribe a table based upon ~~[the preceding~~
 46 ~~sentences]~~ **subdivision (1) of this subsection.** The property tax shall be in increments of
 47 twenty-five dollars and the income in increments of three hundred dollars, **for all calendar**
 48 **years ending on or before December 31, 2024. For all calendar years beginning on or**
 49 **after January 1, 2025, the property tax shall be in increments of twenty-five dollars and**
 50 **the income in increments of four hundred ninety-five dollars.** The credit shall be the
 51 amount rounded to the nearest whole dollar computed on the basis of the property tax and
 52 income at the midpoints of each increment. As used in this subsection, the term
 53 "accumulative" means an increase by continuous or repeated application of the percent to the

54 income increment at each three hundred dollar level **for all calendar years ending on or**
55 **before December 31, 2024, or at each four hundred ninety-five dollar level for all**
56 **calendar years beginning on or after January 1, 2025.**

57 3. Notwithstanding subsection 4 of section 32.057, the department of revenue or any
58 duly authorized employee or agent shall determine whether any taxpayer filing a report or
59 return with the department of revenue who has not applied for the credit allowed pursuant to
60 section 135.020 may qualify for the credit, and shall notify any qualified claimant of the
61 claimant's potential eligibility, where the department determines such potential eligibility
62 exists.

137.104. 1. As used in this section, the following terms mean:

- 2 (1) **"Commission", the state tax commission;**
3 (2) **"Eligible owner", an individual who:**
4 (a) **Has reached the age of sixty-five years as of January first of the determining**
5 **odd-numbered year;**
6 (b) **Is the owner of record of the residential real property used as a homestead or**
7 **has a legal or equitable interest in the residential real property used as a homestead as**
8 **evidenced by a written instrument;**
9 (c) **Is liable for the payment of real property taxes on the residential real**
10 **property used as a homestead; and**
11 (d) **Has a total household income of one hundred twenty-five thousand dollars,**
12 **as adjusted in each successive calendar year by the incremental increase in the general**
13 **price level, as defined under Article X, Section 17 of the Constitution of Missouri;**
14 (3) **"Homestead", the residential real property that is used as a primary**
15 **residence and the adjacent real property not to exceed five acres of land as is reasonably**
16 **necessary for use of the residence as a dwelling home;**
17 (4) **"Total household income", the combined federal adjusted gross incomes of**
18 **the individual; the individual's spouse, regardless of whether the spouse resides in the**
19 **homestead; and any dependent of the individual or the individual's spouse if such**
20 **dependent resides in the homestead with the individual.**

21 2. **In addition to all other exemptions authorized under Article X, Section 6 of**
22 **the Constitution of Missouri or otherwise authorized by law, and as authorized under**
23 **Article X, Section 6(a) of the Constitution of Missouri, for all tax years beginning on or**
24 **after January 1, 2025, for an eligible owner, as defined under this section, an annual**
25 **exemption is granted for property that is used as a homestead equal to one hundred**
26 **percent of the tax assessed on the homestead.**

27 **3. The amount of property taxes that an owner is exempted from paying as a**
28 **result of the annual exemption under this section shall become due and payable upon**
29 **the death of the owner or upon the sale of the homestead by the owner.**

30 **4. The exemption and determination of eligibility under this section applies for**
31 **tax years beginning on or after January 1, 2025. The claim for an exemption shall not**
32 **be transferred or assigned. The exemption granted under this section shall be applied**
33 **after any other property tax exemption, and apart from such exemptions, a taxpayer**
34 **who received the exemption granted under this section shall not be eligible for any other**
35 **property tax relief, the property tax credits under sections 135.010 to 135.035, or any**
36 **other tax credits relating to the owner's homestead under this chapter or chapter 135.**

37 **5. (1) Except as otherwise provided in this subsection, each eligible owner who**
38 **has been granted an exemption under this section shall reapply on an annual basis. A**
39 **taxpayer shall apply for the exemption by filing an application during the application**
40 **period in effect for the county of his or her residence. The assessor or chief county**
41 **assessment officer may determine the eligibility of residential property to receive the**
42 **exemption provided by this section by application, visual inspection, questionnaire, or**
43 **other reasonable methods. The determination shall be made in accordance with**
44 **guidelines established by the department.**

45 **(2) If the person qualifying for the exemption does not occupy the qualified**
46 **residence as of January first of the tax year, the exemption granted under this section**
47 **shall be prorated on a monthly basis. The prorated exemption shall apply beginning**
48 **with the first complete month in which the person occupies the qualified residence.**

49 **6. The exemption granted under this section shall not affect the process of setting**
50 **the tax rate as required under Article X, Section 22 of the Constitution of Missouri and**
51 **section 137.073 in any prior, current, or subsequent tax year.**

52 **7. (1) The commission may promulgate all necessary rules and regulations for**
53 **the administration of this section. Any rule or portion of a rule, as that term is defined**
54 **in section 536.010, that is created under the authority delegated in this section shall**
55 **become effective only if it complies with and is subject to all of the provisions of chapter**
56 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
57 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
58 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
59 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
60 **adopted after August 28, 2024, shall be invalid and void.**

61 **(2) No rule promulgated by the department shall in any way adversely impact,**
62 **interrupt, or interfere with the performance of the required statutory duties of any**
63 **county elected official including, but not limited to, the county collector, when**

64 performing such duties as deemed necessary for the purposes of this section and the
65 distribution of all other real and personal property taxes.

66 8. Under section 23.253 of the Missouri sunset act:

67 (1) The provisions of the new program authorized under this section shall
68 automatically sunset December thirty-first six years after the effective date of this
69 section unless reauthorized by an act of the general assembly;

70 (2) If such program is reauthorized, the program authorized under this section
71 shall automatically sunset December thirty-first twelve years after the effective date of
72 the reauthorization of this section; and

73 (3) This section shall terminate on September first of the calendar year
74 immediately following the calendar year in which the program authorized under this
75 section is sunset.

137.107. 1. This section may be known and may be cited as "The Missouri
2 Homestead Preservation Act".

3 2. As used in this section, the following terms shall mean:

4 (1) "Department", the department of revenue;

5 (2) "Director", the director of the department of revenue;

6 (3) "Disabled", as such term is defined in section 135.010;

7 (4) "Eligible owner":

8 (a) Any individual owner of property who:

9 a. Is sixty-five years of age or older as of January first of the tax year in which
10 the individual is claiming the credit authorized under this section or who is disabled;
11 and

12 b. Had an income of less than or equal to the maximum upper limit in the year
13 prior to completing an application under this section;

14 (b) In the case of a married couple owning property either jointly or as tenants
15 by the entirety, or in the case of a married couple where only one spouse owns the
16 property, such couple shall be considered an "eligible owner" if:

17 a. Both spouses have reached sixty-five years of age;

18 b. One spouse is disabled, or if one spouse is sixty-five years of age or older and
19 the other spouse is sixty years of age or older; and

20 c. The combined income of the couple in the year prior to completing an
21 application under this section did not exceed the maximum upper limit;

22 (c) In the case of joint ownership by unmarried persons or ownership by tenancy
23 in common by two or more unmarried persons, such owners shall be considered an
24 "eligible owner" if each person with an ownership interest individually satisfies the
25 eligibility requirements for an individual eligible owner under this subdivision and the

26 combined income of all individuals with an interest in the property is less than or equal
27 to the maximum upper limit in the year immediately prior to completing an application
28 under this section. If any individual with an ownership interest in the property fails to
29 satisfy the eligibility requirements of an individual eligible owner or if the combined
30 income of all individuals with interest in the property exceeds the maximum upper limit,
31 no individual with an ownership interest in such property shall be deemed an "eligible
32 owner" regardless of whether any such individual could otherwise meet the eligibility
33 requirements; or

34 (d) In the case of property held in trust, the "eligible owner" and recipient of the
35 tax credit shall be the trust itself; provided, however, that the previous owner of the
36 homestead or the previous owner's spouse:

37 a. Is the settlor of the trust with respect to the homestead;

38 b. Currently resides in such homestead; and

39 c. Would have satisfied the age, ownership, and maximum upper limit
40 requirements for income as defined in this subdivision, but for the transfer of such
41 property.

42

43 No individual shall be an "eligible owner" if the individual has not paid the individual's
44 property tax liability, if any, in full by the payment due date in any of the three most
45 recent prior tax years, except that a late payment of a property tax liability in any prior
46 year shall not disqualify a potential eligible owner if such individual paid in full the tax
47 liability and any and all penalties, additions, and interest that arose as a result of such
48 late payment. No individual shall be an "eligible owner" if such person filed a valid
49 claim for the property tax relief credit under sections 135.010 to 135.035;

50 (5) "Homestead", the same meaning given to such term under section 135.010,
51 except as otherwise provided in this section. No property shall be considered a
52 "homestead" if such property has been improved since the most recent annual
53 assessment by more than five percent of its previously assessed value, except where an
54 eligible owner of the property has made such improvements to accommodate a disabled
55 person;

56 (6) "Homestead exemption limit", a percentage increase, rounded to the nearest
57 hundredth of a percent, that is equal to the percentage increase in tax liability, not
58 including improvements, of a homestead from one tax year to the next, that exceeds a
59 certain percentage set under subsection 7 of this section. The homestead exemption
60 limit shall be based on the increase in tax liability from two years prior to application to
61 the year immediately prior to application;

62 (7) "Income", federal adjusted gross income, except that in the case of
63 ownership of the homestead by trust, the income of the settlor applicant shall be added
64 to the income of the trust for purposes of determining eligibility with respect to the
65 maximum upper limit;

66 (8) "Maximum upper limit", the income sum of seventy thousand dollars for the
67 2005 calendar year, increased each successive calendar year by the incremental increase
68 in the general price level, as defined under Article X, Section 17 of the Constitution of
69 Missouri.

70 3. For all tax years beginning on or after January 1, 2025, under Article X,
71 Section 6(a) of the Constitution of Missouri, if in the most recent prior tax year, the
72 property tax liability on any parcel of subclass (1) real property increased by more than
73 the homestead exemption limit, without regard for any prior credit received due to the
74 provisions of this section, any eligible owner of the property shall receive a homestead
75 exemption credit to be applied toward the current tax year property tax liability to
76 offset the prior year increase in tax liability that exceeds the homestead exemption limit,
77 except as eligibility for the credit is limited by the provisions of this section. The amount
78 of the credit shall be listed separately on each taxpayer's tax bill for the current tax year
79 or on a document enclosed with the taxpayer's bill. The homestead exemption credit
80 shall not affect the process of setting the tax rate as required under Article X, Section 22
81 of the Constitution of Missouri and section 137.073 in any prior, current, or subsequent
82 tax year.

83 4. Any potential eligible owner may apply for the homestead exemption credit by
84 completing an application. Applications shall be completed not earlier than April first
85 and not later than October fifteenth of any tax year in order for the taxpayer to be
86 eligible for the homestead exemption credit in the tax year next following the calendar
87 year in which the homestead exemption credit application is completed. The application
88 shall be on forms provided by the department. Forms shall be made available on the
89 department's website and at all permanent branch offices and all full-time, temporary,
90 and fee offices maintained by the department of revenue. On such applications, the
91 applicant shall attest under penalty of perjury:

92 (1) To the applicant's age;

93 (2) That the applicant's prior year income was less than the maximum upper
94 limit;

95 (3) To the address of the homestead property; and

96 (4) That any improvements made to the homestead, not made to accommodate a
97 disabled person, did not total more than five percent of the assessed value of the
98 homestead for the most recent prior tax year.

99

100 The applicant shall also include with the application copies of receipts indicating
101 payment of property tax by the applicant for the homestead property for the three most
102 recent prior tax years.

103 5. Each applicant shall submit the application to the department not later than
104 October fifteenth of each year for the taxpayer to be eligible for the homestead
105 exemption credit in the tax year next following the calendar year in which the
106 application was submitted.

107 6. Upon receipt of the applications, the department shall calculate the tax
108 liability, verify compliance with the maximum income limit, verify the ages of the
109 applicants, and make adjustments to these numbers as necessary on the applications.
110 The department shall disallow any application if the applicant also has filed a valid
111 application for the property tax credit authorized under sections 135.010 to 135.035.
112 Once adjusted tax liability, age, and income are verified, the director shall determine
113 eligibility for the credit and provide a list of all verified eligible owners to the county
114 assessors, or county clerks in counties with a township form of government
115 notwithstanding section 32.057, not later than December fifteenth of each year. Not
116 later than the following January fifteenth, the county assessors shall provide a list to the
117 department of any verified eligible owners who made improvements not for
118 accommodation of a disability to the homestead and the dollar amount of the
119 assessed value of such improvements. If the dollar amount of the assessed value of such
120 improvements totals more than five percent of the assessed value from the most recent
121 prior tax year, such eligible owners shall be disqualified from receiving the credit in the
122 current tax year.

123 7. The director shall calculate the level of appropriation necessary to set the
124 homestead exemption limit for the homesteads of all verified eligible owners at five
125 percent when based on a year of general reassessment or at two and one-half percent
126 when based on a year without general reassessment. The director shall provide such
127 calculation to the speaker of the house of representatives, the president pro tempore of
128 the senate, and the director of the office of budget and planning in the office of
129 administration not later than January thirty-first of each year.

130 8. If, in any given year, the general assembly makes an appropriation for the
131 funding of the homestead exemption credit that is signed by the governor, the director
132 shall determine the apportionment percentage to set the homestead exemption limit by
133 apportioning the appropriation among all eligible applicants on a percentage basis, so
134 that the total amount of all credits applied for in a given year is the denominator and the
135 amount of an applicant's credit applied for in a given year is the numerator. If no

136 appropriation is made by the general assembly during any given year or no funds are
137 actually distributed pursuant to any appropriation therefor, no homestead preservation
138 credit shall apply in such year.

139 **9.** After determining the apportionment percentage, the director shall calculate
140 the credit to be associated with each verified eligible owner's homestead, if any. The
141 director shall send a list of those eligible owners who are to receive the homestead
142 exemption credit, including the amount of each credit, the certified parcel number of the
143 homestead, and the address of the homestead property, to the county collectors, or
144 county clerks in counties with a township form of government notwithstanding section
145 32.057, not later than August thirty-first. Pursuant to such calculation, the director
146 shall instruct the state treasurer to distribute the appropriation to the county collector's
147 fund of each county or the treasurer ex officio collector's fund in counties with a
148 township form of government, where recipients of the homestead exemption credit are
149 located, in such amounts as would exactly offset each homestead exemption credit being
150 issued. In no case shall a political subdivision receive, as a result of appropriations,
151 more moneys than it would have received absent the provisions of this section. At the
152 direction of the county collector or the treasurer ex officio collector in counties with a
153 township form of government, funds may be deposited in the county collector's fund of a
154 county or the treasurer ex officio collector's fund or may be sent by mail to the county
155 collector, or the treasurer ex officio collector in counties with a township form of
156 government, not later than October first in any year a homestead exemption credit is
157 appropriated as a result of this section and shall be distributed as moneys in such funds
158 are commonly distributed from other property tax revenues by the county collector, or
159 the treasurer ex officio collector of the county in counties with a township form of
160 government, in such amounts as would exactly offset each homestead exemption credit
161 being issued.

162 **10.** In the event that an eligible owner dies or transfers ownership of the
163 property after the homestead exemption limit has been set in any given year, but on or
164 before December thirty-first of the year in which the credit would otherwise be applied,
165 the credit shall be void and any corresponding moneys shall lapse to the state to be
166 credited to the general revenue fund. In the event the county collector, or the treasurer
167 ex officio collector of the county in counties with a township form of government,
168 determines prior to issuing the credit that the individual is not an eligible owner because
169 the individual did not pay his or her property tax liability in full for the most recent
170 prior three years, the credit shall be void and any corresponding moneys shall lapse to
171 the state to be credited to the general revenue fund. In the event the credit has already

172 been issued or applied, the department shall have the authority to recapture the benefit
173 of the credit in such cases under this subsection.

174 **11. Any rule promulgated by the department shall in no way adversely impact,**
175 **affect, interrupt, or interfere with the performance of the required statutory duties of**
176 **any county elected official, more particularly including the county collector when**
177 **performing such duties as deemed necessary for the distribution of any homestead**
178 **appropriation and the collection of all other real and personal property taxes.**

179 **12. The department may promulgate all necessary rules and regulations for the**
180 **administration of this section. Any rule or portion of a rule, as that term is defined in**
181 **section 536.010, that is created under the authority delegated in this section shall**
182 **become effective only if it complies with and is subject to all of the provisions of chapter**
183 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable**
184 **and if any of the powers vested with the general assembly pursuant to chapter 536 to**
185 **review, to delay the effective date, or to disapprove and annul a rule are subsequently**
186 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or**
187 **adopted after August 28, 2024, shall be invalid and void.**

188 **13. Under section 23.253 of the Missouri sunset act:**

189 **(1) The provisions of the new program authorized under this section shall**
190 **automatically sunset December thirty-first, six years after the effective date of this**
191 **section unless reauthorized by an act of the general assembly;**

192 **(2) If such program is reauthorized, the program authorized under this section**
193 **shall automatically sunset December thirty-first, twelve years after the effective date of**
194 **the reauthorization of this section;**

195 **(3) This section shall terminate on September first of the calendar year**
196 **immediately following the calendar year in which the program authorized under this**
197 **section is sunset; and**

198 **(4) The termination of the program as described in this subsection shall not be**
199 **construed to preclude any qualified taxpayer who claims any benefit under any**
200 **program that is sunset under this subsection from claiming such benefit for all allowable**
201 **activities related to such claim that were completed before the program was sunset or to**
202 **eliminate any responsibility of the department to verify the continued eligibility of**
203 **qualified individuals receiving tax credits and to enforce other requirements of law that**
204 **applied before the program was sunset.**

✓