

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 1094

98TH GENERAL ASSEMBLY

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Reported from the Committee on Ways and Means, March 31, 2016, with recommendation that the Senate Committee Substitute do pass.

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ADRIANE D. CROUSE, Secretary.

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## AN ACT

To repeal section 137.100, RSMo, and to enact in lieu thereof one new section relating to land subject to railbanking.

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

Section A. Section 137.100, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 137.100, to read as follows:

137.100. The following subjects are exempt from taxation for state, county  
2 or local purposes:

3 (1) Lands and other property belonging to this state;

4 (2) Lands and other property belonging to any city, county or other political  
5 subdivision in this state, including market houses, town halls and other public  
6 structures, with their furniture and equipments, and on public squares and lots kept  
7 open for health, use or ornament;

8 (3) Nonprofit cemeteries;

9 (4) The real estate and tangible personal property which is used exclusively  
10 for agricultural or horticultural societies organized in this state, including  
11 not-for-profit agribusiness associations;

12 (5) All property, real and personal, actually and regularly used exclusively  
13 for religious worship, for schools and colleges, or for purposes purely charitable and  
14 not held for private or corporate profit, except that the exemption herein granted  
15 does not include real property not actually used or occupied for the purpose of the  
16 organization but held or used as investment even though the income or rentals  
17 received therefrom is used wholly for religious, educational or charitable purposes;

18 (6) Household goods, furniture, wearing apparel and articles of personal use  
19 and adornment, as defined by the state tax commission, owned and used by a person

20 in his home or dwelling place;

21 (7) Motor vehicles leased for a period of at least one year to this state or to  
22 any city, county, or political subdivision or to any religious, educational, or charitable  
23 organization which has obtained an exemption from the payment of federal income  
24 taxes, provided the motor vehicles are used exclusively for religious, educational, or  
25 charitable purposes;

26 (8) Real or personal property leased or otherwise transferred by an interstate  
27 compact agency created pursuant to sections 70.370 to 70.430 or sections 238.010 to  
28 238.100 to another for which or whom such property is not exempt when  
29 immediately after the lease or transfer, the interstate compact agency enters into a  
30 leaseback or other agreement that directly or indirectly gives such interstate compact  
31 agency a right to use, control, and possess the property; provided, however, that in  
32 the event of a conveyance of such property, the interstate compact agency must  
33 retain an option to purchase the property at a future date or, within the limitations  
34 period for reverters, the property must revert back to the interstate compact  
35 agency. Property will no longer be exempt under this subdivision in the event of a  
36 conveyance as of the date, if any, when:

37 (a) The right of the interstate compact agency to use, control, and possess the  
38 property is terminated;

39 (b) The interstate compact agency no longer has an option to purchase or  
40 otherwise acquire the property; and

41 (c) There are no provisions for reverter of the property within the limitation  
42 period for reverters;

43 (9) All property, real and personal, belonging to veterans' organizations. As  
44 used in this section, "veterans' organization" means any organization of veterans  
45 with a congressional charter, that is incorporated in this state, and that is exempt  
46 from taxation under section 501(c)(19) of the Internal Revenue Code of 1986, as  
47 amended;

48 (10) Solar energy systems not held for resale;

49 **(11) That portion of privately owned land subject to a railroad**  
50 **easement upon which a railroad right-of-way exists and a state, political**  
51 **subdivision, or qualified organization has assumed responsibility for as**  
52 **provided in Section 16 U.S.C. 1247(d).**

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