

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 908
101ST GENERAL ASSEMBLY

3714H.06C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 67.457, 67.461, 67.1305, 67.1421, 67.1431, 67.1471, 92.105, 92.111, 92.115, 99.825, 99.830, 99.865, 137.073, 137.115, 238.212, and 238.222, RSMo, and to enact in lieu thereof twenty new sections relating to taxation, with an emergency clause for a certain section.

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

Section A. Sections 67.457, 67.461, 67.1305, 67.1421, 67.1431, 67.1471, 92.105, 2 92.111, 92.115, 99.825, 99.830, 99.865, 137.073, 137.115, 238.212, and 238.222, RSMo, are 3 repealed and twenty new sections enacted in lieu thereof, to be known as sections 67.457, 4 67.461, 67.496, 67.1305, 67.1421, 67.1431, 67.1471, 92.111, 92.115, 99.825, 99.830, 99.865, 5 137.073, 137.115, 204.603, 204.605, 238.212, 238.222, 1, and 2, to read as follows:

67.457. 1. To establish a neighborhood improvement district, the governing body of 2 any city or county shall comply with either of the procedures described in subsection 2 or 3 of 3 this section.

4 2. The governing body of any city or county proposing to create a neighborhood 5 improvement district may by resolution submit the question of creating such district to all 6 qualified voters residing within such district at a general or special election called for that 7 purpose. Such resolution shall set forth the project name for the proposed improvement, the 8 general nature of the proposed improvement, the estimated cost of such improvement, the 9 boundaries of the proposed neighborhood improvement district to be assessed, and the 10 proposed method or methods of assessment of real property within the district, including any 11 provision for the annual assessment of maintenance costs of the improvement in each year 12 during the term of the bonds issued for the original improvement and after such bonds are

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.

13 paid in full. The governing body of the city or county may create a neighborhood
14 improvement district when the question of creating such district has been approved by the
15 vote of the percentage of electors within such district voting thereon that is equal to the
16 percentage of voter approval required for the issuance of general obligation bonds of such city
17 or county under Article VI, Section 26 of the constitution of this state. The notice of election
18 containing the question of creating a neighborhood improvement district shall contain the
19 project name for the proposed improvement, the general nature of the proposed improvement,
20 the estimated cost of such improvement, the boundaries of the proposed neighborhood
21 improvement district to be assessed, the proposed method or methods of assessment of real
22 property within the district, including any provision for the annual assessment of maintenance
23 costs of the improvement in each year after the bonds issued for the original improvement are
24 paid in full, and a statement that the final cost of such improvement assessed against real
25 property within the district and the amount of general obligation bonds issued therefor shall
26 not exceed the estimated cost of such improvement, as stated in such notice, by more than
27 twenty-five percent, and that the annual assessment for maintenance costs of the
28 improvements shall not exceed the estimated annual maintenance cost, as stated in such
29 notice, by more than twenty-five percent. The ballot upon which the question of creating a
30 neighborhood improvement district is submitted to the qualified voters residing within the
31 proposed district shall contain a question in substantially the following form:

32 Shall _____ (name of city or county) be authorized to create a neighborhood
33 improvement district proposed for the _____ (project name for the proposed
34 improvement) and incur indebtedness and issue general obligation bonds to pay for all
35 or part of the cost of public improvements within such district, the cost of all
36 indebtedness so incurred to be assessed by the governing body of the _____ (city or
37 county) on the real property benefitted by such improvements for a period of _____
38 years, and, if included in the resolution, an assessment in each year thereafter with the
39 proceeds thereof used solely for maintenance of the improvement?

40 3. As an alternative to the procedure described in subsection 2 of this section, the
41 governing body of a city or county may create a neighborhood improvement district when a
42 proper petition has been signed by the owners of record of at least two-thirds by area of all
43 real property located within such proposed district. Each owner of record of real property
44 located in the proposed district is allowed one signature. Any person, corporation, or limited
45 liability partnership owning more than one parcel of land located in such proposed district
46 shall be allowed only one signature on such petition. The petition, in order to become
47 effective, shall be filed with the city clerk or county clerk. A proper petition for the creation
48 of a neighborhood improvement district shall set forth the project name for the proposed
49 improvement, the general nature of the proposed improvement, the estimated cost of such

50 improvement, the boundaries of the proposed neighborhood improvement district to be
51 assessed, the proposed method or methods of assessment of real property within the district,
52 including any provision for the annual assessment of maintenance costs of the improvement
53 in each year during the term of the bonds issued for the original improvement and after such
54 bonds are paid in full, a notice that the names of the signers may not be withdrawn later than
55 seven days after the petition is filed with the city clerk or county clerk, and a notice that the
56 final cost of such improvement assessed against real property within the district and the
57 amount of general obligation bonds issued therefor shall not exceed the estimated cost of such
58 improvement, as stated in such petition, by more than twenty-five percent, and that the annual
59 assessment for maintenance costs of the improvements shall not exceed the estimated annual
60 maintenance cost, as stated in such petition, by more than twenty-five percent.

61 4. Upon receiving the requisite voter approval at an election or upon the filing of a
62 proper petition with the city clerk or county clerk, the governing body may by resolution or
63 ordinance determine the advisability of the improvement and may order that the district be
64 established and that preliminary plans and specifications for the improvement be made. Such
65 resolution or ordinance shall state and make findings as to the project name for the proposed
66 improvement, the nature of the improvement, the estimated cost of such improvement, the
67 boundaries of the neighborhood improvement district to be assessed, the proposed method or
68 methods of assessment of real property within the district, including any provision for the
69 annual assessment of maintenance costs of the improvement in each year after the bonds
70 issued for the original improvement are paid in full, and shall also state that the final cost of
71 such improvement assessed against the real property within the neighborhood improvement
72 district and the amount of general obligation bonds issued therefor shall not, without a new
73 election or petition, exceed the estimated cost of such improvement by more than twenty-five
74 percent.

75 5. The boundaries of the proposed district shall be described by metes and bounds,
76 streets or other sufficiently specific description. The area of the neighborhood improvement
77 district finally determined by the governing body of the city or county to be assessed may be
78 less than, but shall not exceed, the total area comprising such district.

79 6. In any neighborhood improvement district organized prior to August 28, 1994, an
80 assessment may be levied and collected after the original period approved for assessment of
81 property within the district has expired, with the proceeds thereof used solely for maintenance
82 of the improvement, if the residents of the neighborhood improvement district either vote to
83 assess real property within the district for the maintenance costs in the manner prescribed in
84 subsection 2 of this section or if the owners of two-thirds of the area of all real property
85 located within the district sign a petition for such purpose in the same manner as prescribed in
86 subsection 3 of this section.

87 7. Prior to any assessment hereafter being levied against any real property within any
88 neighborhood improvement district, and prior to any lien enforceable under either chapter 140
89 or 141 being imposed after August 28, 2013, against any real property within a neighborhood
90 improvement district, the clerk of the governing body establishing the neighborhood
91 improvement district shall cause to be recorded with the recorder of deeds for the county in
92 which any portion of the neighborhood improvement district is located a document
93 conforming to the provisions of sections 59.310 and 59.313, and which shall contain at least
94 the following information:

95 (1) Each and all owners of record of real property located within the neighborhood
96 improvement district at the time of recording, who shall be identified in the document as
97 grantors and indexed by the recorder, as required under and pursuant to section 59.440;

98 (2) The governing body establishing the neighborhood improvement district and the
99 title of any official or agency responsible for collecting or enforcing any assessments, who
100 shall be identified in the document as grantees and so indexed by the recorder, as required
101 under and pursuant to section 59.440;

102 (3) The legal description of the property within the neighborhood improvement
103 district which may either be the metes and bounds description authorized in subsection 5 of
104 this section or the legal description of each lot or parcel within the neighborhood
105 improvement district; and

106 (4) The identifying number of the resolution or ordinance creating the neighborhood
107 improvement district, or a copy of such resolution or ordinance.

108 **8. (1) The governing body of the city or county establishing a neighborhood**
109 **improvement district shall, as soon as is practicable, submit the following information to**
110 **the state auditor and the department of revenue:**

111 **(a) A description of the boundaries of such district as well as the average**
112 **assessment made against real property located in such district;**

113 **(b) Any amendments made to the boundaries of a district; and**

114 **(c) The date on which a neighborhood improvement district is dissolved.**

115 **(2) The governing body of the city or county establishing a neighborhood**
116 **improvement district on or after August 28, 2022, shall not order any assessment to be**
117 **made on any real property located within a district until such governing body has**
118 **submitted the information required by paragraph (a) of subdivision (1) of this**
119 **subsection.**

67.461. 1. After the governing body has made the findings specified in section
2 67.457 and plans and specifications for the proposed improvements have been prepared, the
3 governing body shall by ordinance or resolution order assessments to be made against each
4 parcel of real property deemed to be benefitted by an improvement based on the revised

5 estimated cost of the improvement or, if available, the final cost thereof, and shall order a
6 proposed assessment roll to be prepared.

7 2. The plans and specifications for the improvement and the proposed assessment roll
8 shall be filed with the city clerk or county clerk, as applicable, and shall be open for public
9 inspection. Such clerk shall thereupon, at the direction of the governing body, publish notice
10 that the governing body will conduct a hearing to consider the proposed improvement and
11 proposed assessments. Such notice shall be published in a newspaper of general circulation at
12 least once not more than twenty days and not less than ten days before the hearing and shall
13 state the project name for the improvement, the date, time and place of such hearing, the
14 general nature of the improvement, the revised estimated cost or, if available, the final cost of
15 the improvement, the boundaries of the neighborhood improvement district to be assessed,
16 and that written or oral objections will be considered at the hearing. **Such notice shall also**
17 **be sent to the Missouri department of revenue, which shall publish such notice on its**
18 **website.** At the same time, the clerk shall mail to the owners of record of the real property
19 made liable to pay the assessments, at their last known post office address, a notice of the
20 hearing and a statement of the cost proposed to be assessed against the real property so owned
21 and assessed. The failure of any owner to receive such notice shall not invalidate the
22 proceedings.

67.496. Notwithstanding any law to the contrary, no political subdivision or
2 **election authority shall describe any proposed tax on property or sales in a political**
3 **subdivision as not increasing taxes, or any language to that effect, unless both:**

4 **(1) Failing to adopt the proposed measure would cause an actual increase in the**
5 **tax rate; and**

6 **(2) Adopting the proposed measure would cause the tax rate to stay the same or**
7 **decrease.**

67.1305. 1. As used in this section, the term "city" shall mean any incorporated city,
2 town, or village.

3 2. In lieu of the sales taxes authorized under sections 67.1300 and 67.1303, the
4 governing body of any city or county may impose, by order or ordinance, a sales tax on all
5 retail sales made in the city or county which are subject to sales tax under chapter 144. The
6 tax authorized in this section shall not be more than one-half of one percent. The order or
7 ordinance imposing the tax shall not become effective unless the governing body of the city
8 or county submits to the voters of the city or county at any citywide, county or state general,
9 primary or special election a proposal to authorize the governing body to impose a tax under
10 this section. The tax authorized in this section shall be in addition to all other sales taxes
11 imposed by law, and shall be stated separately from all other charges and taxes. The tax
12 authorized in this section shall not be imposed by any city or county that has imposed a tax

13 under section 67.1300 or 67.1303 unless the tax imposed under those sections has expired or
14 been repealed.

15 3. The ballot of submission for the tax authorized in this section shall be in
16 substantially the following form:

<p>17 Shall _____ (insert the name of the city or county) impose a sales tax 18 at a rate of _____ (insert rate of percent) percent for economic 19 development purposes? 20 <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

21

22 If a majority of the votes cast on the question by the qualified voters voting thereon are in
23 favor of the question, then the tax shall become effective on the first day of the second
24 calendar quarter following the calendar quarter in which the election was held. If a majority
25 of the votes cast on the question by the qualified voters voting thereon are opposed to the
26 question, then the tax shall not become effective unless and until the question is resubmitted
27 under this section to the qualified voters and such question is approved by a majority of the
28 qualified voters voting on the question, provided that no proposal shall be resubmitted to the
29 voters sooner than twelve months from the date of the submission of the last proposal.

30 4. All sales taxes collected by the director of revenue under this section on behalf of
31 any county or municipality, less one percent for cost of collection which shall be deposited in
32 the state's general revenue fund after payment of premiums for surety bonds as provided in
33 section 32.087, shall be deposited in a special trust fund, which is hereby created, to be
34 known as the "Local Option Economic Development Sales Tax Trust Fund".

35 5. The moneys in the local option economic development sales tax trust fund shall not
36 be deemed to be state funds and shall not be commingled with any funds of the state. The
37 director of revenue shall keep accurate records of the amount of money in the trust fund and
38 which was collected in each city or county imposing a sales tax pursuant to this section, and
39 the records shall be open to the inspection of officers of the city or county and the public.

40 6. Not later than the tenth day of each month the director of revenue shall distribute
41 all moneys deposited in the trust fund during the preceding month to the city or county which
42 levied the tax. Such funds shall be deposited with the county treasurer of each such county or
43 the appropriate municipal officer in the case of a municipal tax, and all expenditures of funds
44 arising from the local economic development sales tax trust fund shall be in accordance with
45 this section.

46 7. The director of revenue may authorize the state treasurer to make refunds from the
47 amounts in the trust fund and credited to any city or county for erroneous payments and
48 overpayments made, and may redeem dishonored checks and drafts deposited to the credit of
49 such cities and counties.

50 8. If any county or municipality abolishes the tax, the city or county shall notify the
51 director of revenue of the action at least ninety days prior to the effective date of the repeal
52 and the director of revenue may order retention in the trust fund, for a period of one year, of
53 two percent of the amount collected after receipt of such notice to cover possible refunds or
54 overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of
55 such accounts. After one year has elapsed after the effective date of abolition of the tax in
56 such city or county, the director of revenue shall remit the balance in the account to the city or
57 county and close the account of that city or county. The director of revenue shall notify each
58 city or county of each instance of any amount refunded or any check redeemed from receipts
59 due the city or county.

60 9. Except as modified in this section, all provisions of sections 32.085 and 32.087
61 shall apply to the tax imposed pursuant to this section.

62 10. (1) No revenue generated by the tax authorized in this section shall be used for
63 any retail development project, except for the redevelopment of downtown areas and historic
64 districts. Not more than twenty-five percent of the revenue generated shall be used annually
65 for administrative purposes, including staff and facility costs.

66 (2) At least twenty percent of the revenue generated by the tax authorized in this
67 section shall be used solely for projects directly related to long-term economic development
68 preparation, including, but not limited to, the following:

- 69 (a) Acquisition of land;
70 (b) Installation of infrastructure for industrial or business parks;
71 (c) Improvement of water and wastewater treatment capacity;
72 (d) Extension of streets;
73 (e) Public facilities directly related to economic development and job creation; and
74 (f) Providing matching dollars for state or federal grants relating to such long-term
75 projects.

76 (3) The remaining revenue generated by the tax authorized in this section may be
77 used for, but shall not be limited to, the following:

- 78 (a) Marketing;
79 (b) Providing grants and loans to companies for job training, equipment acquisition,
80 site development, and infrastructures;
81 (c) Training programs to prepare workers for advanced technologies and high skill
82 jobs;
83 (d) Legal and accounting expenses directly associated with the economic
84 development planning and preparation process;
85 (e) Developing value-added and export opportunities for Missouri agricultural
86 products.

87 11. All revenue generated by the tax shall be deposited in a special trust fund and
88 shall be used solely for the designated purposes. If the tax is repealed, all funds remaining in
89 the special trust fund shall continue to be used solely for the designated purposes. Any funds
90 in the special trust fund which are not needed for current expenditures may be invested by the
91 governing body in accordance with applicable laws relating to the investment of other city or
92 county funds.

93 12. (1) Any city or county imposing the tax authorized in this section shall establish
94 an economic development tax board. The volunteer board shall receive no compensation or
95 operating budget.

96 (2) The economic development tax board established by a city shall consist of at least
97 five members, but may be increased to nine members. Either a five-member or nine-member
98 board shall be designated in the order or ordinance imposing the sales tax authorized by this
99 section, and the members are to be appointed as follows:

100 (a) One member of a five-member board, or two members of a nine-member board,
101 shall be appointed by the school districts included within any economic development plan or
102 area funded by the sales tax authorized in this section. Such member or members shall be
103 appointed in any manner agreed upon by the affected districts;

104 (b) Three members of a five-member board, or five members of a nine-member
105 board, shall be appointed by the chief elected officer of the city with the consent of the
106 majority of the governing body of the city;

107 (c) One member of a five-member board, or two members of a nine-member board,
108 shall be appointed by the governing body of the county in which the city is located.

109 (3) The economic development tax board established by a county shall consist of
110 seven members, to be appointed as follows:

111 (a) One member shall be appointed by the school districts included within any
112 economic development plan or area funded by the sales tax authorized in this section. Such
113 member shall be appointed in any manner agreed upon by the affected districts;

114 (b) Four members shall be appointed by the governing body of the county; and

115 (c) Two members from the cities, towns, or villages within the county appointed in
116 any manner agreed upon by the chief elected officers of the cities or villages.

117

118 Of the members initially appointed, three shall be designated to serve for terms of two years,
119 except that when a nine-member board is designated, seven of the members initially
120 appointed shall be designated to serve for terms of two years, and the remaining members
121 shall be designated to serve for a term of four years from the date of such initial appointments.
122 Thereafter, the members appointed shall serve for a term of four years, except that all

123 vacancies shall be filled for unexpired terms in the same manner as were the original
124 appointments.

125 (4) If an economic development tax board established by a city is already in existence
126 on August 28, 2012, any increase in the number of members of the board shall be designated
127 in an order or ordinance. The four board members added to the board shall be appointed to a
128 term with an expiration coinciding with the expiration of the terms of the three board member
129 positions that were originally appointed to terms of two years. Thereafter, the additional
130 members appointed shall serve for a term of four years, except that all vacancies shall be
131 filled for unexpired terms in the same manner as were the additional appointments.

132 13. The board, subject to approval of the governing body of the city or county, shall
133 consider economic development plans, economic development projects, or designations of an
134 economic development area, and shall hold public hearings and provide notice of any such
135 hearings. The board shall vote on all proposed economic development plans, economic
136 development projects, or designations of an economic development area, and amendments
137 thereto, within thirty days following completion of the hearing on any such plan, project, or
138 designation, and shall make recommendations to the governing body within ninety days of the
139 hearing concerning the adoption of or amendment to economic development plans, economic
140 development projects, or designations of an economic development area. The governing
141 body of the city or county shall have the final determination on use and expenditure of any
142 funds received from the tax imposed under this section.

143 14. The board may consider and recommend using funds received from the tax
144 imposed under this section for plans, projects or area designations outside the boundaries of
145 the city or county imposing the tax if, and only if:

146 (1) The city or county imposing the tax or the state receives significant economic
147 benefit from the plan, project or area designation; and

148 (2) The board establishes an agreement with the governing bodies of all cities and
149 counties in which the plan, project or area designation is located detailing the authority and
150 responsibilities of each governing body with regard to the plan, project or area designation.

151 15. Notwithstanding any other provision of law to the contrary, the economic
152 development sales tax imposed under this section when imposed within a special taxing
153 district, including but not limited to a tax increment financing district, neighborhood
154 improvement district, or community improvement district, shall be excluded from the
155 calculation of revenues available to such districts, and no revenues from any sales tax
156 imposed under this section shall be used for the purposes of any such district unless
157 recommended by the economic development tax board established under this section and
158 approved by the governing body imposing the tax.

159 16. The board and the governing body of the city or county imposing the tax shall
160 report at least annually to the governing body of the city or county on the use of the funds
161 provided under this section and on the progress of any plan, project, or designation adopted
162 under this section and shall make such report available to the public.

163 17. Not later than the first day of March each year the board shall submit to the ~~joint~~
164 ~~committee on economic development]~~ **Missouri department of revenue** a report, not
165 exceeding one page in length, which must include the following information for each project
166 using the tax authorized under this section:

- 167 (1) **The name of the entity awarded funds and the entity's address;**
- 168 (2) A statement of its primary economic development goals;
- 169 ~~[(2)]~~ (3) A statement of the total economic development sales tax revenues received
170 during the immediately preceding calendar year;
- 171 ~~[(3)]~~ (4) A statement of total expenditures during the preceding calendar year in each
172 of the following categories:
 - 173 (a) Infrastructure improvements;
 - 174 (b) Land and/or buildings;
 - 175 (c) Machinery and equipment;
 - 176 (d) Job training investments;
 - 177 (e) Direct business incentives;
 - 178 (f) Marketing;
 - 179 (g) Administration and legal expenses; and
 - 180 (h) Other expenditures.

181 18. The governing body of any city or county that has adopted the sales tax
182 authorized in this section may submit the question of repeal of the tax to the voters on any
183 date available for elections for the city or county. The ballot of submission shall be in
184 substantially the following form:

185 Shall _____ (insert the name of the city or county) repeal the sales tax 186 imposed at a rate of _____ (insert rate of percent) percent for 187 economic development purposes? 188 <input type="checkbox"/> Yes <input type="checkbox"/> No
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189
190 If a majority of the votes cast on the proposal are in favor of the repeal, that repeal shall
191 become effective on December thirty-first of the calendar year in which such repeal was
192 approved. If a majority of the votes cast on the question by the qualified voters voting
193 thereon are opposed to the repeal, then the sales tax authorized in this section shall remain
194 effective until the question is resubmitted under this section to the qualified voters of the city

195 or county, and the repeal is approved by a majority of the qualified voters voting on the
196 question.

197 19. Whenever the governing body of any city or county that has adopted the sales tax
198 authorized in this section receives a petition, signed by ten percent of the registered voters of
199 the city or county voting in the last gubernatorial election, calling for an election to repeal the
200 sales tax imposed under this section, the governing body shall submit to the voters a proposal
201 to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting
202 thereon are in favor of the repeal, that repeal shall become effective on December thirty-first
203 of the calendar year in which such repeal was approved. If a majority of the votes cast on the
204 question by the qualified voters voting thereon are opposed to the repeal, then the tax shall
205 remain effective until the question is resubmitted under this section to the qualified voters and
206 the repeal is approved by a majority of the qualified voters voting on the question.

207 20. If any provision of this section or section 67.1303 or the application thereof to any
208 person or circumstance is held invalid, the invalidity shall not affect other provisions or
209 application of this section or section 67.1303 which can be given effect without the invalid
210 provision or application, and to this end the provisions of this section and section 67.1303 are
211 declared severable.

67.1421. 1. Upon receipt of a proper petition filed with its municipal clerk, the
2 governing body of the municipality in which the proposed district is located shall hold a
3 public hearing in accordance with section 67.1431 and may adopt an ordinance to establish
4 the proposed district.

5 2. A petition is proper if, based on the tax records of the county clerk, or the collector
6 of revenue if the district is located in a city not within a county, as of the time of filing the
7 petition with the municipal clerk, it meets the following requirements:

8 (1) It has been signed by property owners collectively owning more than fifty percent
9 by assessed value of the real property within the boundaries of the proposed district;

10 (2) It has been signed by more than fifty percent per capita of all owners of real
11 property within the boundaries of the proposed district; and

12 (3) It contains the following information:

13 (a) The legal description of the proposed district, including a map illustrating the
14 district boundaries;

15 (b) The name of the proposed district;

16 (c) A notice that the signatures of the signers may not be withdrawn later than seven
17 days after the petition is filed with the municipal clerk;

18 (d) A five-year plan stating a description of the purposes of the proposed district, the
19 services it will provide, each improvement it will make from the list of allowable
20 improvements under section 67.1461, an estimate of the costs of these services and

21 improvements to be incurred, the anticipated sources of funds to pay the costs, and the
22 anticipated term of the sources of funds to pay the costs;

23 (e) A statement as to whether the district will be a political subdivision or a not-for-
24 profit corporation and if it is to be a not-for-profit corporation, the name of the not-for-profit
25 corporation;

26 (f) If the district is to be a political subdivision, a statement as to whether the district
27 will be governed by a board elected by the district or whether the board will be appointed by
28 the municipality, and, if the board is to be elected by the district, the names and terms of the
29 initial board may be stated;

30 (g) If the district is to be a political subdivision, the number of directors to serve on
31 the board;

32 (h) The total assessed value of all real property within the proposed district;

33 (i) A statement as to whether the petitioners are seeking a determination that the
34 proposed district, or any legally described portion thereof, is a blighted area;

35 (j) The proposed length of time for the existence of the district, which in the case of
36 districts established after August 28, 2021, shall not exceed twenty-seven years from the
37 adoption of the ordinance establishing the district unless the municipality extends the length
38 of time under section 67.1481;

39 (k) The maximum rates of real property taxes, and, business license taxes in the
40 county seat of a county of the first classification without a charter form of government
41 containing a population of at least two hundred thousand, that may be submitted to the
42 qualified voters for approval;

43 (l) The maximum rates of special assessments and respective methods of assessment
44 that may be proposed by petition;

45 (m) The limitations, if any, on the borrowing capacity of the district;

46 (n) The limitations, if any, on the revenue generation of the district;

47 (o) Other limitations, if any, on the powers of the district;

48 (p) A request that the district be established; and

49 (q) Any other items the petitioners deem appropriate;

50 (4) The signature block for each real property owner signing the petition shall be in
51 substantially the following form and contain the following information:

52	Name of owner: _____
53	Owner's telephone number and mailing address: _____
54	If signer is different from owner:
55	Name of signer: _____
56	State basis of legal authority to sign: _____
57	Signer's telephone number and mailing address: _____

94 petition and establishing a district as set forth in the petition and may determine, if requested
95 in the petition, whether the district, or any legally described portion thereof, constitutes a
96 blighted area. If the petition was filed by the governing body of a municipality pursuant to
97 subdivision (5) of subsection 2 of this section, after the close of the public hearing required
98 pursuant to subsection 1 of this section, the petition may be approved by the governing body
99 and an election shall be called pursuant to section 67.1422.

100 5. Amendments to a petition may be made which do not change the proposed
101 boundaries of the proposed district if an amended petition meeting the requirements of
102 subsection 2 of this section is filed with the municipal clerk at the following times and the
103 following requirements have been met:

104 (1) At any time prior to the close of the public hearing required pursuant to subsection
105 1 of this section; provided that, notice of the contents of the amended petition is given at the
106 public hearing;

107 (2) At any time after the public hearing and prior to the adoption of an ordinance
108 establishing the proposed district; provided that, notice of the amendments to the petition is
109 given by publishing the notice in a newspaper of general circulation within the municipality
110 and by sending the notice via registered certified United States mail with a return receipt
111 attached to the address of record of each owner of record of real property within the
112 boundaries of the proposed district per the tax records of the county clerk, or the collector of
113 revenue if the district is located in a city not within a county. Such notice shall be published
114 and mailed not less than ten days prior to the adoption of the ordinance establishing the
115 district. **Such notice shall also be sent to the Missouri department of revenue, which**
116 **shall publish such notice on its website;**

117 (3) At any time after the adoption of any ordinance establishing the district a public
118 hearing on the amended petition is held and notice of the public hearing is given in the
119 manner provided in section 67.1431 and the governing body of the municipality in which the
120 district is located adopts an ordinance approving the amended petition after the public hearing
121 is held.

122 6. Upon the creation of a district, the municipal clerk shall report in writing the
123 creation of such district to the Missouri department of economic development and the state
124 auditor.

125 7. **(1) The governing body of the municipality or county establishing a district**
126 **shall, as soon as is practicable, submit the following information to the state auditor and**
127 **the department of revenue:**

128 **(a) A description of the boundaries of such district as well as the rate of property**
129 **tax or sales tax levied in such district;**

130 **(b) Any amendments made to the boundaries of a district or the tax rates levied**
131 **in such district; and**

132 **(c) The date on which the district is terminated.**

133 **(2) The governing body of the municipality or county establishing a community**
134 **improvement district on or after August 28, 2022, shall not order any assessment to be**
135 **made on any real property located within a district and shall not levy any property or**
136 **sales tax until such governing body has submitted the information required by**
137 **paragraph (a) of subdivision (1) of this subsection.**

67.1431. 1. Within a reasonable time, not to exceed forty-five days, after the receipt
2 of the verified petition from the municipal clerk, the governing body shall hold or cause to be
3 held a public hearing on the establishment of the proposed district and shall give notice of the
4 public hearing in the manner provided in subsection 3 of this section. All reasonable protests,
5 objections and endorsements shall be heard at the public hearing.

6 2. The public hearing may be continued to another date without further notice other
7 than a motion to be entered on the minutes fixing the date, time and place of the continuance
8 of the public hearing, **as well as providing such information to the Missouri department**
9 **of revenue, which shall publish such information on its website.**

10 3. Notice of the public hearing shall be given by publication and mailing. Notice by
11 publication shall be given by publication in a newspaper of general circulation within the
12 municipality once a week for two consecutive weeks prior to the week of the public hearing,
13 **as well as by notice provided to the Missouri department of revenue, which shall publish**
14 **such information on its website.** Notice by mail shall be given not less than fifteen days
15 prior to the public hearing by sending the notice via registered or certified United States mail
16 with a return receipt attached to the address of record of each owner of record of real property
17 within the boundaries of the proposed district. The published and mailed notices shall include
18 the following:

19 (1) The date, time and place of the public hearing;

20 (2) A statement that a petition for the establishment of a district has been filed with
21 the municipal clerk;

22 (3) The boundaries of the proposed district by street location, or other readily
23 identifiable means if no street location exists; and a map illustrating the proposed boundaries;

24 (4) A statement that a copy of the petition is available for review at the office of the
25 municipal clerk during regular business hours; and

26 (5) A statement that all interested persons shall be given an opportunity to be heard at
27 the public hearing.

67.1471. 1. The fiscal year for the district shall be the same as the fiscal year of the
2 municipality.

3 2. No earlier than one hundred eighty days and no later than ninety days prior to the
4 first day of each fiscal year, the board shall submit to the **Missouri department of revenue,**
5 **the state auditor, and the** governing body of the city a proposed annual budget, setting forth
6 expected expenditures, revenues, and rates of assessments and taxes, if any, for such fiscal
7 year. The governing body may review and comment to the board on this proposed budget,
8 but if such comments are given, the governing body of the municipality shall provide such
9 written comments to the board no later than sixty days prior to the first day of the relevant
10 fiscal year; such comments shall not constitute requirements but shall only be
11 recommendations.

12 3. The board shall hold an annual meeting and adopt an annual budget no later than
13 thirty days prior to the first day of each fiscal year.

14 4. Within one hundred twenty days after the end of each fiscal year, the district shall
15 submit a report to the municipal clerk, **the Missouri department of revenue, the state**
16 **auditor,** and the Missouri department of economic development. The report shall state the
17 services provided, revenues collected, and expenditures made by the district during such
18 fiscal year; state the dates the district adopted its annual budget, submitted its proposed
19 annual budget to the municipality, and submitted its annual report to the municipal clerk; and
20 include copies of written resolutions approved by the board during the fiscal year. The
21 municipal clerk shall retain this report as part of the official records of the municipality and
22 shall also cause this report to be spread upon the records of the governing body.

23 5. The state auditor may audit a district in the same manner as the auditor may audit
24 any agency of the state.

 92.111. 1. After December 31, 2011, no city, including any constitutional charter city,
2 shall impose or levy an earnings tax, except a constitutional charter city that imposed or
3 levied an earnings tax on November 2, 2010, may continue to impose the earnings tax if it
4 submits to the voters [~~of such city pursuant to~~] **under** section 92.115 the question whether to
5 continue such earnings tax for a period of five years and a majority of such qualified voters
6 voting thereon approve such question, however, if no such election is held, or if in any
7 election held to continue to impose or levy the earnings tax a majority of such qualified voters
8 voting thereon fail to approve the continuation of the earnings tax, such city shall no longer be
9 authorized to impose or levy such earnings tax except to reduce such tax in the manner
10 provided by section 92.125.

11 2. As used in sections 92.111 to 92.200, unless the context clearly requires otherwise,
12 the term "earnings tax" means a tax on the:

13 (1) Salaries, wages, commissions and other compensation earned by its residents;

14 (2) Salaries, wages, commissions and other compensation earned by nonresidents of
15 the city for work done or services performed or rendered in the city. **For all tax returns filed**

16 **on or after January 1, 2022, "work done or services performed or rendered in the city"**
 17 **shall not include any work or services performed or rendered through telecommuting or**
 18 **otherwise performed or rendered remotely unless the location where such remote work**
 19 **or services are performed is located in the city. Any taxpayer denied a refund for taxes**
 20 **paid for such work or services not performed or rendered in the city may bring a cause**
 21 **of action in a court of competent jurisdiction to recover the amount of refund owed, and**
 22 **such taxpayer shall recover the amount of refund owed with interest, together with**
 23 **costs, including reasonable attorney's fees resulting from such cause of action;**

24 (3) Net profits of associations, businesses or other activities conducted by residents;

25 (4) Net profits of associations, businesses or other activities conducted in the city by
 26 nonresidents;

27 (5) Net profits earned by all corporations as the result of work done or services
 28 performed or rendered and business or other activities.

92.115. 1. Any constitutional charter city which as of November 2, 2010, imposed or
 2 levied an earnings tax may continue to impose or levy an earnings tax, pursuant to sections
 3 92.111 to 92.200, if it submits to the qualified voters [~~of such city~~] **as described in**
 4 **subdivisions (1) and (2) of this subsection** on the next general municipal election date
 5 immediately following November 2, 2010, and once every five years thereafter, the question
 6 whether to continue to impose and levy the earnings tax authorized pursuant to sections
 7 92.111 to 92.200, and if a majority of qualified voters voting approve the continuance of the
 8 earnings tax at such election.

9 (1) **If the earnings tax is imposed by a city not within a county, the qualified**
 10 **voters shall include registered voters who reside in such city, registered voters who**
 11 **reside in a county with more than one million inhabitants, registered voters who reside**
 12 **in a county with more than four hundred thousand but fewer than five hundred**
 13 **thousand inhabitants, and registered voters who reside in a county with more than two**
 14 **hundred thousand but fewer than two hundred thirty thousand inhabitants.**

15 (2) **If the earnings tax is imposed by a city with more than four hundred**
 16 **thousand inhabitants and located in more than one county, the qualified voters shall**
 17 **include registered voters who reside in the counties in which all or part of such city is**
 18 **located.**

19 2. The question submitted to the qualified voters [~~in any such city~~] shall contain the
 20 earnings tax percentage imposed and the name of the city submitting the question and shall
 21 otherwise contain exactly the following language:

22

Shall the earnings tax of _____ %, imposed by the City of _____, be 23 continued for a period of five (5) years commencing January 1 24 immediately following the date of this election?
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25

<input type="checkbox"/> Yes <input type="checkbox"/> No

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3. If the question whether to continue to impose and levy the earnings tax fails to be approved by the majority of qualified voters voting thereon, the earnings tax levied and imposed on November 2, 2010, shall be reduced pursuant to section 92.125 commencing January first of the calendar year following the date of the election held under this section or January first of the calendar year following the calendar year in which such election was authorized under this section but not held ~~[by such city]~~.

4. No city which has begun reductions of its earnings tax pursuant to section 92.125 may, by ordinance or any other means, with or without voter approval, stop or suspend such reduction.

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99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing as required in subsection 4 of section 99.820 and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing, **as well as providing such information to the Missouri department of revenue, which shall publish such information on its website**; provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a

27 newspaper of general circulation in the area of the proposed redevelopment not less than ten
28 days prior to the adoption of the changes by ordinance. After the adoption of an ordinance
29 approving a redevelopment plan or redevelopment project, or designating a redevelopment
30 area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land
31 uses established pursuant to the redevelopment plan or changing the nature of the
32 redevelopment project without complying with the procedures provided in this section
33 pertaining to the initial approval of a redevelopment plan or redevelopment project and
34 designation of a redevelopment area. Hearings with regard to a redevelopment project,
35 redevelopment area, or redevelopment plan may be held simultaneously.

36 2. If, after concluding the hearing required under this section, the commission makes
37 a recommendation under section 99.820 in opposition to a proposed redevelopment plan,
38 redevelopment project, or designation of a redevelopment area, or any amendments thereto, a
39 municipality desiring to approve such project, plan, designation, or amendments shall do so
40 only upon a two-thirds majority vote of the governing body of such municipality. For plans,
41 projects, designations, or amendments approved by a municipality over the recommendation
42 in opposition by the commission formed under subsection 3 of section 99.820, the economic
43 activity taxes and payments in lieu of taxes generated by such plan, project, designation, or
44 amendment shall be restricted to paying only those redevelopment project costs contained in
45 subparagraphs b. and c. of paragraph (c) of subdivision (16) of section 99.805 per
46 redevelopment project.

47 3. Tax incremental financing projects within an economic development area shall
48 apply to and fund only the following infrastructure projects: highways, roads, streets,
49 bridges, sewers, traffic control systems and devices, water distribution and supply systems,
50 curbing, sidewalks and any other similar public improvements, but in no case shall it include
51 buildings.

52 4. **(1) The governing body of the municipality establishing a redevelopment area**
53 **shall, as soon as is practicable, submit the following information to the state auditor and**
54 **the department of revenue:**

- 55 (a) **A description of the boundaries of such redevelopment area;**
56 (b) **Any amendments made to the boundaries of a redevelopment area;**
57 (c) **The estimated redevelopment project costs and the estimated date of**
58 **completion of all redevelopment projects; and**
59 (d) **The date on which the redevelopment area is dissolved.**

60 **(2) The governing body of the municipality establishing a redevelopment area on**
61 **or after August 28, 2022, shall not deposit any payments in lieu of taxes or any other**
62 **taxes into the special allocation fund until such governing body has submitted the**
63 **information required by paragraph (a) of subdivision (1) of this subsection.**

99.830. 1. Notice of the public hearing required by section 99.825 shall be given by publication and mailing. Notice by publication shall be given by publication at least twice, the first publication to be not more than thirty days and the second publication to be not more than ten days prior to the hearing, in a newspaper of general circulation in the area of the proposed redevelopment. Notice by mailing shall be given by depositing such notice in the United States mail by certified mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the redevelopment project or redevelopment area which is to be subjected to the payment or payments in lieu of taxes and economic activity taxes pursuant to section 99.845. Such notice shall be mailed not less than ten days prior to the date set for the public hearing. In the event taxes for the last preceding year were not paid, the notice shall also be sent to the persons last listed on the tax rolls within the preceding three years as the owners of such property.

2. The notices issued pursuant to this section shall include the following:

(1) The time and place of the public hearing;

(2) The general boundaries of the proposed redevelopment area or redevelopment project by street location, where possible;

(3) A statement that all interested persons shall be given an opportunity to be heard at the public hearing;

(4) A description of the proposed redevelopment plan or redevelopment project and a location and time where the entire plan or project proposal may be reviewed by any interested party;

(5) Such other matters as the commission may deem appropriate.

3. Not less than forty-five days prior to the date set for the public hearing, the commission shall give notice by mail as provided in subsection 1 of this section to all taxing districts from which taxable property is included in the redevelopment area, redevelopment project or redevelopment plan, and in addition to the other requirements pursuant to subsection 2 of this section, the notice shall include an invitation to each taxing district to submit comments to the commission concerning the subject matter of the hearing prior to the date of the hearing.

4. A copy of any and all hearing notices required by section 99.825 shall be submitted by the commission to the director of the department of economic development **and to the Missouri department of revenue, which shall publish such notice on its website.** Such submission of the copy of the hearing notice shall comply with the prior notice requirements pursuant to subsection 3 of this section.

99.865. 1. No later than November fifteenth of each year, the governing body of the municipality, or its designee, shall prepare a report concerning the status of each

3 redevelopment plan and redevelopment project existing as of December thirty-first of the
4 preceding year, and shall submit a copy of such report to the director of the department of
5 revenue. The report shall include the following:

6 (1) The amount and source of revenue in the special allocation fund;

7 (2) The amount and purpose of expenditures from the special allocation fund;

8 (3) The amount of any pledge of revenues, including principal and interest on any
9 outstanding bonded indebtedness;

10 (4) The original assessed value of the redevelopment project;

11 (5) The assessed valuation added to the redevelopment project;

12 (6) Payments made in lieu of taxes received and expended;

13 (7) The economic activity taxes generated within the redevelopment area in the
14 calendar year prior to the approval of the redevelopment plan, to include a separate entry for
15 the state sales tax revenue base for the redevelopment area or the state income tax withheld by
16 employers on behalf of existing employees in the redevelopment area prior to the
17 redevelopment plan;

18 (8) The economic activity taxes generated within the redevelopment area after the
19 approval of the redevelopment plan, to include a separate entry for the increase in state sales
20 tax revenues for the redevelopment area or the increase in state income tax withheld by
21 employers on behalf of new employees who fill new jobs created in the redevelopment area;

22 (9) Reports on contracts made incident to the implementation and furtherance of a
23 redevelopment plan or project;

24 (10) A copy of any redevelopment plan, which shall include the required findings and
25 cost-benefit analysis pursuant to subdivisions (1) to (6) of section 99.810;

26 (11) The cost of any property acquired, disposed of, rehabilitated, reconstructed,
27 repaired or remodeled;

28 (12) The number of parcels acquired by or through initiation of eminent domain
29 proceedings; and

30 (13) Any additional information the municipality deems necessary.

31 2. Data contained in the report mandated pursuant to the provisions of subsection 1 of
32 this section shall be made available to the commissioner of administration, who shall publish
33 such reports on the Missouri accountability portal pursuant to section 37.850. Any
34 information regarding amounts disbursed to municipalities pursuant to the provisions of
35 section 99.845 shall be deemed a public record, as defined in section 610.010. An annual
36 statement showing the payments made in lieu of taxes received and expended in that year, the
37 status of the redevelopment plan and projects therein, amount of outstanding bonded
38 indebtedness and any additional information the municipality deems necessary shall be
39 published in a newspaper of general circulation in the municipality.

40 3. Five years after the establishment of a redevelopment plan and every five years
41 thereafter the governing body shall hold a public hearing regarding those redevelopment
42 plans and projects created pursuant to sections 99.800 to 99.865. The purpose of the hearing
43 shall be to determine if the redevelopment project is making satisfactory progress under the
44 proposed time schedule contained within the approved plans for completion of such projects.
45 Notice of such public hearing shall be given in a newspaper of general circulation in the area
46 served by the commission once each week for four weeks immediately prior to the hearing,
47 **and shall also be sent to the Missouri department of revenue, which shall publish such**
48 **notice on its website.**

49 4. The director of the department of revenue shall submit a report to the state auditor,
50 the speaker of the house of representatives, and the president pro tem of the senate no later
51 than February first of each year. The report shall contain a summary of all information
52 received by the director pursuant to subsection 1 of this section.

53 5. For the purpose of coordinating all tax increment financing projects using new
54 state revenues, the director of the department of economic development may promulgate rules
55 and regulations to ensure compliance with this section. Such rules and regulations may
56 include methods for enumerating all of the municipalities which have established
57 commissions pursuant to section 99.820. No rule or portion of a rule promulgated under
58 the authority of sections 99.800 to 99.865 shall become effective unless it has been
59 promulgated pursuant to the provisions of chapter 536. All rulemaking authority delegated
60 prior to June 27, 1997, is of no force and effect and repealed; however, nothing in this section
61 shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to June 27,
62 1997, if such rule complied with the provisions of chapter 536. The provisions of this section
63 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
64 pursuant to chapter 536 including the ability to review, to delay the effective date, or to
65 disapprove and annul a rule or portion of a rule are subsequently held unconstitutional, then
66 the purported grant of rulemaking authority and any rule so proposed and contained in the
67 order of rulemaking shall be invalid and void.

68 6. The department of economic development shall provide information and technical
69 assistance, as requested by any municipality, on the requirements of sections 99.800 to
70 99.865. Such information and technical assistance shall be provided in the form of a manual,
71 written in an easy-to-follow manner, and through consultations with departmental staff.

72 7. The department of revenue shall provide notice of any failure to comply with the
73 reporting requirements provided in subsection 1 of this section to the applicable municipality,
74 specifying any required corrections, by certified mail addressed to the municipality's chief
75 elected officer. If such municipality does not satisfy the reporting requirements for which it
76 previously did not comply, as specified in the notice from the department of revenue, within

77 sixty days of the receipt of the notice, the municipality shall be prohibited from adopting any
78 new tax increment finance plan for a period of five years from the date of the department of
79 revenue's notice. All reports filed pursuant to subsection 1 of this section or in response to a
80 notice from the department of revenue pursuant to this subsection shall be deemed accepted
81 by the department of revenue unless the department of revenue provides the applicable
82 municipality with a written objection thereto, specifying any required corrections, by certified
83 mail addressed to the chief elected officer of the municipality within sixty days of the
84 municipality's submission of such report.

85 8. Based upon the information provided in the reports required under the provisions
86 of this section, the state auditor shall make available for public inspection on the auditor's
87 website a searchable electronic database of such municipal tax increment finance reports. All
88 information contained within such database shall be maintained for a period of no less than
89 ten years from initial posting.

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

2 (1) "General reassessment", changes in value, entered in the assessor's books, of a
3 substantial portion of the parcels of real property within a county resulting wholly or partly
4 from reappraisal of value or other actions of the assessor or county equalization body or
5 ordered by the state tax commission or any court;

6 (2) "Tax rate", "rate", or "rate of levy", singular or plural, includes the tax rate for
7 each purpose of taxation of property a taxing authority is authorized to levy without a vote
8 and any tax rate authorized by election, including bond interest and sinking fund;

9 (3) "Tax rate ceiling", a tax rate as revised by the taxing authority to comply with the
10 provisions of this section or when a court has determined the tax rate; except that, other
11 provisions of law to the contrary notwithstanding, a school district may levy the operating
12 levy for school purposes required for the current year pursuant to subsection 2 of section
13 163.021, less all adjustments required pursuant to Article X, Section 22 of the Missouri
14 Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the
15 1980 tax year. This is the maximum tax rate that may be levied, unless a higher tax rate
16 ceiling is approved by voters of the political subdivision as provided in this section;

17 (4) "Tax revenue", when referring to the previous year, means the actual receipts from
18 ad valorem levies on all classes of property, including state-assessed property, in the
19 immediately preceding fiscal year of the political subdivision, plus an allowance for taxes
20 billed but not collected in the fiscal year and plus an additional allowance for the revenue
21 which would have been collected from property which was annexed by such political
22 subdivision but which was not previously used in determining tax revenue pursuant to this
23 section. The term "tax revenue" shall not include any receipts from ad valorem levies on any
24 property of a railroad corporation or a public utility, as these terms are defined in section

25 386.020, which were assessed by the assessor of a county or city in the previous year but are
26 assessed by the state tax commission in the current year. All school districts and those
27 counties levying sales taxes pursuant to chapter 67 shall include in the calculation of tax
28 revenue an amount equivalent to that by which they reduced property tax levies as a result of
29 sales tax pursuant to section 67.505 and section 164.013 [~~or as excess home dock city or~~
30 ~~county fees as provided in subsection 4 of section 313.820~~] in the immediately preceding
31 fiscal year but not including any amount calculated to adjust for prior years. For purposes of
32 political subdivisions which were authorized to levy a tax in the prior year but which did not
33 levy such tax or levied a reduced rate, the term "tax revenue", as used in relation to the
34 revision of tax levies mandated by law, shall mean the revenues equal to the amount that
35 would have been available if the voluntary rate reduction had not been made.

36 2. Whenever changes in assessed valuation are entered in the assessor's books for any
37 personal property, in the aggregate, or for any subclass of real property as such subclasses are
38 established in Section 4(b) of Article X of the Missouri Constitution and defined in section
39 137.016, the county clerk in all counties and the assessor of St. Louis City shall notify each
40 political subdivision wholly or partially within the county or St. Louis City of the change in
41 valuation of each subclass of real property, individually, and personal property, in the
42 aggregate, exclusive of new construction and improvements. All political subdivisions shall
43 immediately revise the applicable rates of levy for each purpose for each subclass of real
44 property, individually, and personal property, in the aggregate, for which taxes are levied to
45 the extent necessary to produce from all taxable property, exclusive of new construction and
46 improvements, substantially the same amount of tax revenue as was produced in the previous
47 year for each subclass of real property, individually, and personal property, in the aggregate,
48 except that the rate shall not exceed the greater of the most recent voter-approved rate or the
49 most recent voter-approved rate as adjusted under subdivision (2) of subsection 5 of this
50 section. Any political subdivision that has received approval from voters for a tax increase
51 after August 27, 2008, may levy a rate to collect substantially the same amount of tax revenue
52 as the amount of revenue that would have been derived by applying the voter-approved
53 increased tax rate ceiling to the total assessed valuation of the political subdivision as most
54 recently certified by the city or county clerk on or before the date of the election in which
55 such increase is approved, increased by the percentage increase in the consumer price index,
56 as provided by law, except that the rate shall not exceed the greater of the most recent voter-
57 approved rate or the most recent voter-approved rate as adjusted under subdivision (2) of
58 subsection 5 of this section. Such tax revenue shall not include any receipts from ad valorem
59 levies on any real property which was assessed by the assessor of a county or city in such
60 previous year but is assessed by the assessor of a county or city in the current year in a
61 different subclass of real property. Where the taxing authority is a school district for the

62 purposes of revising the applicable rates of levy for each subclass of real property, the tax
63 revenues from state-assessed railroad and utility property shall be apportioned and attributed
64 to each subclass of real property based on the percentage of the total assessed valuation of the
65 county that each subclass of real property represents in the current taxable year. As provided
66 in Section 22 of Article X of the constitution, a political subdivision may also revise each levy
67 to allow for inflationary assessment growth occurring within the political subdivision. The
68 inflationary growth factor for any such subclass of real property or personal property shall be
69 limited to the actual assessment growth in such subclass or class, exclusive of new
70 construction and improvements, and exclusive of the assessed value on any real property
71 which was assessed by the assessor of a county or city in the current year in a different
72 subclass of real property, but not to exceed the consumer price index or five percent,
73 whichever is lower. Should the tax revenue of a political subdivision from the various tax
74 rates determined in this subsection be different than the tax revenue that would have been
75 determined from a single tax rate as calculated pursuant to the method of calculation in this
76 subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of
77 those subclasses of real property, individually, and/or personal property, in the aggregate, in
78 which there is a tax rate reduction, pursuant to the provisions of this subsection. Such
79 revision shall yield an amount equal to such difference and shall be apportioned among such
80 subclasses of real property, individually, and/or personal property, in the aggregate, based on
81 the relative assessed valuation of the class or subclasses of property experiencing a tax rate
82 reduction. Such revision in the tax rates of each class or subclass shall be made by computing
83 the percentage of current year adjusted assessed valuation of each class or subclass with a tax
84 rate reduction to the total current year adjusted assessed valuation of the class or subclasses
85 with a tax rate reduction, multiplying the resulting percentages by the revenue difference
86 between the single rate calculation and the calculations pursuant to this subsection and
87 dividing by the respective adjusted current year assessed valuation of each class or subclass to
88 determine the adjustment to the rate to be levied upon each class or subclass of property. The
89 adjustment computed herein shall be multiplied by one hundred, rounded to four decimals in
90 the manner provided in this subsection, and added to the initial rate computed for each class
91 or subclass of property. For school districts that levy separate tax rates on each subclass of
92 real property and personal property in the aggregate, if voters approved a ballot before
93 January 1, 2011, that presented separate stated tax rates to be applied to the different
94 subclasses of real property and personal property in the aggregate, or increases the separate
95 rates that may be levied on the different subclasses of real property and personal property in
96 the aggregate by different amounts, the tax rate that shall be used for the single tax rate
97 calculation shall be a blended rate, calculated in the manner provided under subdivision (1) of
98 subsection 6 of this section. Notwithstanding any provision of this subsection to the contrary,

99 no revision to the rate of levy for personal property shall cause such levy to increase over the
100 levy for personal property from the prior year.

101 3. (1) Where the taxing authority is a school district, it shall be required to revise the
102 rates of levy to the extent necessary to produce from all taxable property, including state-
103 assessed railroad and utility property, which shall be separately estimated in addition to other
104 data required in complying with section 164.011, substantially the amount of tax revenue
105 permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be
106 adjusted to offset such district's reduction in the apportionment of state school moneys due to
107 its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling
108 pursuant to this section, requiring the estimating of effects of state-assessed railroad and
109 utility valuation or loss of state aid, discovers that the estimates used result in receipt of
110 excess revenues, which would have required a lower rate if the actual information had been
111 known, the school district shall reduce the tax rate ceiling in the following year to compensate
112 for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes
113 of this section.

114 (2) For any political subdivision which experiences a reduction in the amount of
115 assessed valuation relating to a prior year, due to decisions of the state tax commission or a
116 court pursuant to sections 138.430 to 138.433, or due to clerical errors or corrections in the
117 calculation or recordation of any assessed valuation:

118 (a) Such political subdivision may revise the tax rate ceiling for each purpose it levies
119 taxes to compensate for the reduction in assessed value occurring after the political
120 subdivision calculated the tax rate ceiling for the particular subclass of real property or for
121 personal property, in the aggregate, in a prior year. Such revision by the political subdivision
122 shall be made at the time of the next calculation of the tax rate for the particular subclass of
123 real property or for personal property, in the aggregate, after the reduction in assessed
124 valuation has been determined and shall be calculated in a manner that results in the revised
125 tax rate ceiling being the same as it would have been had the corrected or finalized assessment
126 been available at the time of the prior calculation;

127 (b) In addition, for up to three years following the determination of the reduction in
128 assessed valuation as a result of circumstances defined in this subdivision, such political
129 subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate
130 ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to
131 receive had the corrected or finalized assessment been available at the time of the prior
132 calculation.

133 4. (1) In order to implement the provisions of this section and Section 22 of Article X
134 of the Constitution of Missouri, the term improvements shall apply to both real and personal
135 property. In order to determine the value of new construction and improvements, each county

136 assessor shall maintain a record of real property valuations in such a manner as to identify
137 each year the increase in valuation for each political subdivision in the county as a result of
138 new construction and improvements. The value of new construction and improvements shall
139 include the additional assessed value of all improvements or additions to real property which
140 were begun after and were not part of the prior year's assessment, except that the additional
141 assessed value of all improvements or additions to real property which had been totally or
142 partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, sections
143 135.200 to 135.255, and section 353.110 shall be included in the value of new construction
144 and improvements when the property becomes totally or partially subject to assessment and
145 payment of all ad valorem taxes. The aggregate increase in valuation of personal property for
146 the current year over that of the previous year is the equivalent of the new construction and
147 improvements factor for personal property. Notwithstanding any opt-out implemented
148 pursuant to subsection 14 of section 137.115, the assessor shall certify the amount of new
149 construction and improvements and the amount of assessed value on any real property which
150 was assessed by the assessor of a county or city in such previous year but is assessed by the
151 assessor of a county or city in the current year in a different subclass of real property
152 separately for each of the three subclasses of real property for each political subdivision to the
153 county clerk in order that political subdivisions shall have this information for the purpose of
154 calculating tax rates pursuant to this section and Section 22, Article X, Constitution of
155 Missouri. In addition, the state tax commission shall certify each year to each county clerk
156 the increase in the general price level as measured by the Consumer Price Index for All Urban
157 Consumers for the United States, or its successor publications, as defined and officially
158 reported by the United States Department of Labor, or its successor agency. The state tax
159 commission shall certify the increase in such index on the latest twelve-month basis available
160 on February first of each year over the immediately preceding prior twelve-month period in
161 order that political subdivisions shall have this information available in setting their tax rates
162 according to law and Section 22 of Article X of the Constitution of Missouri. For purposes of
163 implementing the provisions of this section and Section 22 of Article X of the Missouri
164 Constitution, the term "property" means all taxable property, including state-assessed
165 property.

166 (2) Each political subdivision required to revise rates of levy pursuant to this section
167 or Section 22 of Article X of the Constitution of Missouri shall calculate each tax rate it is
168 authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate
169 revision provided in this section and Section 22 of Article X of the Constitution of Missouri,
170 separately and without regard to annual tax rate reductions provided in section 67.505 and
171 section 164.013. Each political subdivision shall set each tax rate it is authorized to levy
172 using the calculation that produces the lowest tax rate ceiling. It is further the intent of the

173 general assembly, pursuant to the authority of Section 10(c) of Article X of the Constitution
174 of Missouri, that the provisions of such section be applicable to tax rate revisions mandated
175 pursuant to Section 22 of Article X of the Constitution of Missouri as to reestablishing tax
176 rates as revised in subsequent years, enforcement provisions, and other provisions not in
177 conflict with Section 22 of Article X of the Constitution of Missouri. Annual tax rate
178 reductions provided in section 67.505 and section 164.013 shall be applied to the tax rate as
179 established pursuant to this section and Section 22 of Article X of the Constitution of
180 Missouri, unless otherwise provided by law.

181 5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this
182 section shall not be increased unless approved by a vote of the people. Approval of the higher
183 tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires
184 approval by more than a simple majority pursuant to any provision of law or the constitution,
185 the tax rate increase must receive approval by at least the majority required.

186 (2) When voters approve an increase in the tax rate, the amount of the increase shall
187 be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate
188 does not exceed any maximum rate prescribed by law. If a ballot question presents a stated
189 tax rate for approval rather than describing the amount of increase in the question, the stated
190 tax rate approved shall be adjusted as provided in this section and, so adjusted, shall be the
191 current tax rate ceiling. The increased tax rate ceiling as approved shall be adjusted such that
192 when applied to the current total assessed valuation of the political subdivision, excluding
193 new construction and improvements since the date of the election approving such increase,
194 the revenue derived from the adjusted tax rate ceiling is equal to the sum of: the amount of
195 revenue which would have been derived by applying the voter-approved increased tax rate
196 ceiling to total assessed valuation of the political subdivision, as most recently certified by the
197 city or county clerk on or before the date of the election in which such increase is approved,
198 increased by the percentage increase in the consumer price index, as provided by law. Such
199 adjusted tax rate ceiling may be applied to the total assessed valuation of the political
200 subdivision at the setting of the next tax rate. If a ballot question presents a phased-in tax rate
201 increase, upon voter approval, each tax rate increase shall be adjusted in the manner
202 prescribed in this section to yield the sum of: the amount of revenue that would be derived by
203 applying such voter-approved increased rate to the total assessed valuation, as most recently
204 certified by the city or county clerk on or before the date of the election in which such
205 increase was approved, increased by the percentage increase in the consumer price index, as
206 provided by law, from the date of the election to the time of such increase and, so adjusted,
207 shall be the current tax rate ceiling.

208 (3) **The provisions of subdivision (2) of this subsection notwithstanding, if, prior**
209 **to the expiration of a temporary levy increase, voters approve a subsequent levy**

210 **increase, the new tax rate ceiling shall remain in effect only until such time as the**
211 **temporary levy expires under the terms originally approved by a vote of the people, at**
212 **which time the tax rate ceiling shall be decreased by the amount of the temporary levy**
213 **increase. If, prior to the expiration of a temporary levy increase, voters of a political**
214 **subdivision are asked to approve an additional, permanent increase to the political**
215 **subdivision's tax rate ceiling, voters shall be submitted ballot language that clearly**
216 **indicates that if the permanent levy increase is approved, the temporary levy shall be**
217 **made permanent.**

218 (4) The governing body of any political subdivision may levy a tax rate lower than its
219 tax rate ceiling and may, in a nonreassessment year, increase that lowered tax rate to a level
220 not exceeding the tax rate ceiling without voter approval in the manner provided under
221 subdivision ~~[(4)]~~ (5) of this subsection. Nothing in this section shall be construed as
222 prohibiting a political subdivision from voluntarily levying a tax rate lower than that which is
223 required under the provisions of this section or from seeking voter approval of a reduction to
224 such political subdivision's tax rate ceiling.

225 ~~[(4)]~~ (5) In a year of general reassessment, a governing body whose tax rate is lower
226 than its tax rate ceiling shall revise its tax rate pursuant to the provisions of subsection 4 of
227 this section as if its tax rate was at the tax rate ceiling. In a year following general
228 reassessment, if such governing body intends to increase its tax rate, the governing body shall
229 conduct a public hearing, and in a public meeting it shall adopt an ordinance, resolution, or
230 policy statement justifying its action prior to setting and certifying its tax rate. The provisions
231 of this subdivision shall not apply to any political subdivision which levies a tax rate lower
232 than its tax rate ceiling solely due to a reduction required by law resulting from sales tax
233 collections. The provisions of this subdivision shall not apply to any political subdivision
234 which has received voter approval for an increase to its tax rate ceiling subsequent to setting
235 its most recent tax rate.

236 6. (1) For the purposes of calculating state aid for public schools pursuant to section
237 163.031, each taxing authority which is a school district shall determine its proposed tax rate
238 as a blended rate of the classes or subclasses of property. Such blended rate shall be
239 calculated by first determining the total tax revenue of the property within the jurisdiction of
240 the taxing authority, which amount shall be equal to the sum of the products of multiplying
241 the assessed valuation of each class and subclass of property by the corresponding tax rate for
242 such class or subclass, then dividing the total tax revenue by the total assessed valuation of
243 the same jurisdiction, and then multiplying the resulting quotient by a factor of one hundred.
244 Where the taxing authority is a school district, such blended rate shall also be used by such
245 school district for calculating revenue from state-assessed railroad and utility property as
246 defined in chapter 151 and for apportioning the tax rate by purpose.

247 (2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk
248 of the county commission in the county or counties where the tax rate applies of its tax rate
249 ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a
250 fraction equal to the nearest one-tenth of a cent, unless its proposed tax rate is in excess of one
251 dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-
252 hundredth of a cent, it shall round up a fraction greater than or equal to five/one-thousandth of
253 one cent to the next higher one/one-hundredth of a cent; if a taxing authority shall round to
254 one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of
255 a cent to the next higher one-tenth of a cent. Any taxing authority levying a property tax rate
256 shall provide data, in such form as shall be prescribed by the state auditor by rule,
257 substantiating such tax rate complies with Missouri law. All forms for the calculation of rates
258 pursuant to this section shall be promulgated as a rule and shall not be incorporated by
259 reference. The state auditor shall promulgate rules for any and all forms for the calculation of
260 rates pursuant to this section which do not currently exist in rule form or that have been
261 incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for
262 debt service shall provide data, in such form as shall be prescribed by the state auditor by rule,
263 substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed
264 for annual debt service requirements will be prima facie valid if, after making the payment for
265 which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed
266 the following year's payments. The county clerk shall keep on file and available for public
267 inspection all such information for a period of three years. The clerk shall, within three days
268 of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed
269 tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen
270 days of the date of receipt, examine such information and return to the county clerk his or her
271 findings as to compliance of the tax rate ceiling with this section and as to compliance of any
272 proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing
273 authority's proposed tax rate does not comply with Missouri law, then the state auditor's
274 findings shall include a recalculated tax rate, and the state auditor may request a taxing
275 authority to submit documentation supporting such taxing authority's proposed tax rate. The
276 county clerk shall immediately forward a copy of the auditor's findings to the taxing authority
277 and shall file a copy of the findings with the information received from the taxing authority.
278 The taxing authority shall have fifteen days from the date of receipt from the county clerk of
279 the state auditor's findings and any request for supporting documentation to accept or reject in
280 writing the rate change certified by the state auditor and to submit all requested information to
281 the state auditor. A copy of the taxing authority's acceptance or rejection and any information
282 submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority
283 rejects a rate change certified by the state auditor and the state auditor does not receive

284 supporting information which justifies the taxing authority's original or any subsequent
285 proposed tax rate, then the state auditor shall refer the perceived violations of such taxing
286 authority to the attorney general's office and the attorney general is authorized to obtain
287 injunctive relief to prevent the taxing authority from levying a violative tax rate.

288 (3) In the event that the taxing authority incorrectly completes the forms created and
289 promulgated under subdivision (2) of this subsection, or makes a clerical error, the taxing
290 authority may submit amended forms with an explanation for the needed changes. If such
291 amended forms are filed under regulations prescribed by the state auditor, the state auditor
292 shall take into consideration such amended forms for the purposes of this subsection.

293 7. No tax rate shall be extended on the tax rolls by the county clerk unless the political
294 subdivision has complied with the foregoing provisions of this section.

295 8. Whenever a taxpayer has cause to believe that a taxing authority has not complied
296 with the provisions of this section, the taxpayer may make a formal complaint with the
297 prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action
298 within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to
299 this section and institute an action as representative of a class of all taxpayers within a taxing
300 authority if the class is so numerous that joinder of all members is impracticable, if there are
301 questions of law or fact common to the class, if the claims or defenses of the representative
302 parties are typical of the claims or defenses of the class, and if the representative parties will
303 fairly and adequately protect the interests of the class. In any class action maintained
304 pursuant to this section, the court may direct to the members of the class a notice to be
305 published at least once each week for four consecutive weeks in a newspaper of general
306 circulation published in the county where the civil action is commenced and in other counties
307 within the jurisdiction of a taxing authority. The notice shall advise each member that the
308 court will exclude him or her from the class if he or she so requests by a specified date, that
309 the judgment, whether favorable or not, will include all members who do not request
310 exclusion, and that any member who does not request exclusion may, if he or she desires,
311 enter an appearance. In any class action brought pursuant to this section, the court, in
312 addition to the relief requested, shall assess against the taxing authority found to be in
313 violation of this section the reasonable costs of bringing the action, including reasonable
314 attorney's fees, provided no attorney's fees shall be awarded any attorney or association of
315 attorneys who receive public funds from any source for their services. Any action brought
316 pursuant to this section shall be set for hearing as soon as practicable after the cause is at
317 issue.

318 9. If in any action, including a class action, the court issues an order requiring a taxing
319 authority to revise the tax rates as provided in this section or enjoins a taxing authority from
320 the collection of a tax because of its failure to revise the rate of levy as provided in this

321 section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously
322 paid his or her taxes in part, whether or not the taxes are paid under protest as provided in
323 section 139.031 or otherwise contested. The part of the taxes paid erroneously is the
324 difference in the amount produced by the original levy and the amount produced by the
325 revised levy. The township or county collector of taxes or the collector of taxes in any city
326 shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise
327 the rate of levy as provided in this section shall make available to the collector all funds
328 necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest
329 on any money erroneously paid by him or her pursuant to this subsection. Effective in the
330 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund
331 any tax erroneously paid prior to or during the third tax year preceding the current tax year.

332 10. Any rule or portion of a rule, as that term is defined in section 536.010, that is
333 created under the authority delegated in this section shall become effective only if it complies
334 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
335 This section and chapter 536 are nonseverable and if any of the powers vested with the
336 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
337 disapprove and annul a rule are subsequently held unconstitutional, then the grant of
338 rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid
339 and void.

137.115. 1. All other laws to the contrary notwithstanding, the assessor or the
2 assessor's deputies in all counties of this state including the City of St. Louis shall annually
3 make a list of all real and tangible personal property taxable in the assessor's city, county,
4 town or district. Except as otherwise provided in subsection 3 of this section and section
5 137.078, the assessor shall annually assess all personal property at thirty-three and one-third
6 percent of its true value in money as of January first of each calendar year. The assessor shall
7 annually assess all real property, including any new construction and improvements to real
8 property, and possessory interests in real property at the percent of its true value in money set
9 in subsection 5 of this section. The true value in money of any possessory interest in real
10 property in subclass (3), where such real property is on or lies within the ultimate airport
11 boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5, of a
12 commercial airport having a FAR Part 139 certification and owned by a political subdivision,
13 shall be the otherwise applicable true value in money of any such possessory interest in real
14 property, less the total dollar amount of costs paid by a party, other than the political
15 subdivision, towards any new construction or improvements on such real property completed
16 after January 1, 2008, and which are included in the above-mentioned possessory interest,
17 regardless of the year in which such costs were incurred or whether such costs were
18 considered in any prior year. The assessor shall annually assess all real property in the

19 following manner: new assessed values shall be determined as of January first of each odd-
20 numbered year and shall be entered in the assessor's books; those same assessed values shall
21 apply in the following even-numbered year, except for new construction and property
22 improvements which shall be valued as though they had been completed as of January first of
23 the preceding odd-numbered year. The assessor may call at the office, place of doing
24 business, or residence of each person required by this chapter to list property, and require the
25 person to make a correct statement of all taxable tangible personal property owned by the
26 person or under his or her care, charge or management, taxable in the county. On or before
27 January first of each even-numbered year, the assessor shall prepare and submit a two-year
28 assessment maintenance plan to the county governing body and the state tax commission for
29 their respective approval or modification. The county governing body shall approve and
30 forward such plan or its alternative to the plan to the state tax commission by February first.
31 If the county governing body fails to forward the plan or its alternative to the plan to the state
32 tax commission by February first, the assessor's plan shall be considered approved by the
33 county governing body. If the state tax commission fails to approve a plan and if the state tax
34 commission and the assessor and the governing body of the county involved are unable to
35 resolve the differences, in order to receive state cost-share funds outlined in section 137.750,
36 the county or the assessor shall petition the administrative hearing commission, by May first,
37 to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement
38 of the parties, the matter may be stayed while the parties proceed with mediation or
39 arbitration upon terms agreed to by the parties. The final decision of the administrative
40 hearing commission shall be subject to judicial review in the circuit court of the county
41 involved. In the event a valuation of subclass (1) real property within any county with a
42 charter form of government, or within a city not within a county, is made by a computer,
43 computer-assisted method or a computer program, the burden of proof, supported by clear,
44 convincing and cogent evidence to sustain such valuation, shall be on the assessor at any
45 hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a
46 presumption that the assessment was made by a computer, computer-assisted method or a
47 computer program. Such evidence shall include, but shall not be limited to, the following:

- 48 (1) The findings of the assessor based on an appraisal of the property by generally
49 accepted appraisal techniques; and
50 (2) The purchase prices from sales of at least three comparable properties and the
51 address or location thereof. As used in this subdivision, the word "comparable" means that:
52 (a) Such sale was closed at a date relevant to the property valuation; and
53 (b) Such properties are not more than one mile from the site of the disputed property,
54 except where no similar properties exist within one mile of the disputed property, the nearest
55 comparable property shall be used. Such property shall be within five hundred square feet in

56 size of the disputed property, and resemble the disputed property in age, floor plan, number of
57 rooms, and other relevant characteristics.

58 2. Assessors in each county of this state and the City of St. Louis may send personal
59 property assessment forms through the mail.

60 3. The following items of personal property shall each constitute separate subclasses
61 of tangible personal property and shall be assessed and valued for the purposes of taxation at
62 the following percentages of their true value in money:

63 (1) Grain and other agricultural crops in an unmanufactured condition, one-half of
64 one percent;

65 (2) Livestock, twelve percent;

66 (3) Farm machinery, twelve percent;

67 (4) Motor vehicles which are eligible for registration as and are registered as historic
68 motor vehicles pursuant to section 301.131 and aircraft which are at least twenty-five years
69 old and which are used solely for noncommercial purposes and are operated less than two
70 hundred hours per year or aircraft that are home built from a kit, five percent;

71 (5) Poultry, twelve percent; and

72 (6) Tools and equipment used for pollution control and tools and equipment used in
73 retooling for the purpose of introducing new product lines or used for making improvements
74 to existing products by any company which is located in a state enterprise zone and which is
75 identified by any standard industrial classification number cited in subdivision (7) of section
76 135.200, twenty-five percent.

77 4. **The personal property tax as assessed and valued under subsection 3 of this**
78 **section, shall not exceed the Consumer Price Index for All Urban Consumers (CPI-U).**
79 **The provisions of this subsection shall become effective January 1, 2023.**

80 5. The person listing the property shall enter a true and correct statement of the
81 property, in a printed blank prepared for that purpose. The statement, after being filled out,
82 shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall
83 then be delivered to the assessor.

84 ~~[5-]~~ 6. (1) All subclasses of real property, as such subclasses are established in
85 Section 4(b) of Article X of the Missouri Constitution and defined in section 137.016, shall be
86 assessed at the following percentages of true value:

87 (a) For real property in subclass (1), nineteen percent;

88 (b) For real property in subclass (2), twelve percent; and

89 (c) For real property in subclass (3), thirty-two percent.

90 (2) A taxpayer may apply to the county assessor, or, if not located within a county,
91 then the assessor of such city, for the reclassification of such taxpayer's real property if the use
92 or purpose of such real property is changed after such property is assessed under the

93 provisions of this chapter. If the assessor determines that such property shall be reclassified,
94 he or she shall determine the assessment under this subsection based on the percentage of the
95 tax year that such property was classified in each subclassification.

96 ~~[6-]~~ 7. Manufactured homes, as defined in section 700.010, which are actually used as
97 dwelling units shall be assessed at the same percentage of true value as residential real
98 property for the purpose of taxation. The percentage of assessment of true value for such
99 manufactured homes shall be the same as for residential real property. If the county collector
100 cannot identify or find the manufactured home when attempting to attach the manufactured
101 home for payment of taxes owed by the manufactured home owner, the county collector may
102 request the county commission to have the manufactured home removed from the tax books,
103 and such request shall be granted within thirty days after the request is made; however, the
104 removal from the tax books does not remove the tax lien on the manufactured home if it is
105 later identified or found. For purposes of this section, a manufactured home located in a
106 manufactured home rental park, rental community or on real estate not owned by the
107 manufactured home owner shall be considered personal property. For purposes of this
108 section, a manufactured home located on real estate owned by the manufactured home owner
109 may be considered real property.

110 ~~[7-]~~ 8. Each manufactured home assessed shall be considered a parcel for the purpose
111 of reimbursement pursuant to section 137.750, unless the manufactured home is deemed to be
112 real estate as defined in subsection 7 of section 442.015 and assessed as a realty improvement
113 to the existing real estate parcel.

114 ~~[8-]~~ 9. Any amount of tax due and owing based on the assessment of a manufactured
115 home shall be included on the personal property tax statement of the manufactured home
116 owner unless the manufactured home is deemed to be real estate as defined in subsection 7 of
117 section 442.015, in which case the amount of tax due and owing on the assessment of the
118 manufactured home as a realty improvement to the existing real estate parcel shall be
119 included on the real property tax statement of the real estate owner.

120 ~~[9-]~~ 10. The assessor of each county and each city not within a county shall use the
121 trade-in value published in the **current or two previous years** October issue of the National
122 Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the
123 recommended guide of information for determining the true value of motor vehicles
124 described in such publication. **The assessor may assign any value that the assessor deems**
125 **to be the true value, provided that such value is not greater than the current October**
126 **issue of the National Automobile Dealers' Association Official Used Car Guide, or its**
127 **successor publication, and such value is not less than the lowest value in the current or**
128 **two previous years of such publication.** The assessor shall not use a value that is greater
129 than the average trade-in value in determining the true value of the motor vehicle without

130 performing a physical inspection of the motor vehicle. For vehicles two years old or newer
131 from a vehicle's model year, the assessor may use a value other than average without
132 performing a physical inspection of the motor vehicle. **For the purposes of this section**, in
133 the absence of a listing for a particular motor vehicle, **recreational vehicle, or agricultural**
134 **equipment** in such publication, **excluding tangible personal property as described in**
135 **section 137.122, section 137.123, chapter 151, chapter 153, and chapter 155**, the assessor
136 ~~shall~~ **may** use such information or publications which in the assessor's judgment will fairly
137 estimate the true value in money of the motor vehicle, **recreational vehicle, or agricultural**
138 **equipment in the current year or two previous years. The assessor may assign any value**
139 **that the assessor deems to be the true value, provided that such value is not greater than**
140 **a current publication, if the assessor uses a publication, for such property, and such**
141 **value is not less than the lowest value in the current or two previous years of such**
142 **publication.**

143 ~~[10-]~~ **11.** Before the assessor may increase the assessed valuation of any parcel of
144 subclass (1) real property by more than fifteen percent since the last assessment, excluding
145 increases due to new construction or improvements, the assessor shall conduct a physical
146 inspection of such property.

147 ~~[11-]~~ **12.** If a physical inspection is required, pursuant to subsection 10 of this section,
148 the assessor shall notify the property owner of that fact in writing and shall provide the owner
149 clear written notice of the owner's rights relating to the physical inspection. If a physical
150 inspection is required, the property owner may request that an interior inspection be
151 performed during the physical inspection. The owner shall have no less than thirty days to
152 notify the assessor of a request for an interior physical inspection.

153 ~~[12-]~~ **13.** A physical inspection, as required by subsection 10 of this section, shall
154 include, but not be limited to, an on-site personal observation and review of all exterior
155 portions of the land and any buildings and improvements to which the inspector has or may
156 reasonably and lawfully gain external access, and shall include an observation and review of
157 the interior of any buildings or improvements on the property upon the timely request of the
158 owner pursuant to subsection 11 of this section. Mere observation of the property via a drive-
159 by inspection or the like shall not be considered sufficient to constitute a physical inspection
160 as required by this section.

161 ~~[13-]~~ **14.** A county or city collector may accept credit cards as proper form of payment
162 of outstanding property tax or license due. No county or city collector may charge surcharge
163 for payment by credit card which exceeds the fee or surcharge charged by the credit card
164 bank, processor, or issuer for its service. A county or city collector may accept payment by
165 electronic transfers of funds in payment of any tax or license and charge the person making

166 such payment a fee equal to the fee charged the county by the bank, processor, or issuer of
167 such electronic payment.

168 ~~[14.]~~ **15.** Any county or city not within a county in this state may, by an affirmative
169 vote of the governing body of such county, opt out of the provisions of this section and
170 sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first
171 general assembly, second regular session and section 137.073 as modified by house
172 committee substitute for senate substitute for senate committee substitute for senate bill no.
173 960, ninety-second general assembly, second regular session, for the next year of the general
174 reassessment, prior to January first of any year. No county or city not within a county shall
175 exercise this opt-out provision after implementing the provisions of this section and sections
176 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first general
177 assembly, second regular session and section 137.073 as modified by house committee
178 substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-
179 second general assembly, second regular session, in a year of general reassessment. For the
180 purposes of applying the provisions of this subsection, a political subdivision contained
181 within two or more counties where at least one of such counties has opted out and at least one
182 of such counties has not opted out shall calculate a single tax rate as in effect prior to the
183 enactment of house bill no. 1150 of the ninety-first general assembly, second regular session.
184 A governing body of a city not within a county or a county that has opted out under the
185 provisions of this subsection may choose to implement the provisions of this section and
186 sections 137.073, 138.060, and 138.100 as enacted by house bill no. 1150 of the ninety-first
187 general assembly, second regular session, and section 137.073 as modified by house
188 committee substitute for senate substitute for senate committee substitute for senate bill no.
189 960, ninety-second general assembly, second regular session, for the next year of general
190 reassessment, by an affirmative vote of the governing body prior to December thirty-first of
191 any year.

192 ~~[15.]~~ **16.** The governing body of any city of the third classification with more than
193 twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred
194 inhabitants located in any county that has exercised its authority to opt out under subsection
195 14 of this section may levy separate and differing tax rates for real and personal property only
196 if such city bills and collects its own property taxes or satisfies the entire cost of the billing
197 and collection of such separate and differing tax rates. Such separate and differing rates shall
198 not exceed such city's tax rate ceiling.

199 ~~[16.]~~ **17.** Any portion of real property that is available as reserve for strip, surface, or
200 coal mining for minerals for purposes of excavation for future use or sale to others that has
201 not been bonded and permitted under chapter 444 shall be assessed based upon how the real
202 property is currently being used. Any information provided to a county assessor, state tax

203 commission, state agency, or political subdivision responsible for the administration of tax
204 policies shall, in the performance of its duties, make available all books, records, and
205 information requested, except such books, records, and information as are by law declared
206 confidential in nature, including individually identifiable information regarding a specific
207 taxpayer or taxpayer's mine property. For purposes of this subsection, "mine property" shall
208 mean all real property that is in use or readily available as a reserve for strip, surface, or coal
209 mining for minerals for purposes of excavation for current or future use or sale to others that
210 has been bonded and permitted under chapter 444.

**204.603. 1. When the board of trustees of a reorganized common sewer district
2 and the governing body of a public water supply district as defined in chapter 247
3 mutually determine that a consolidation of the reorganized common sewer district and
4 the public water supply district would better serve the area within their boundaries, the
5 reorganized common sewer district and the public water supply district shall jointly
6 prepare a plan of consolidation. The plan of consolidation shall be filed with the public
7 water supply district and the reorganized common sewer district and shall be open for
8 public inspection. Each district shall, at the direction of its governing body, separately
9 conduct a hearing to consider the plan of consolidation. Not less than ten days before
10 such hearing, each district shall mail to the owners of record of the real property
11 receiving service from such public water supply district, at their last known post office
12 address, a notice of the hearing. Such notice shall state the date, time, and place of such
13 hearing, the general nature of the plan of consolidation, and that verified petitions of
14 objection will be accepted and considered at the hearing. The failure of any owner to
15 receive such notice shall not invalidate the proceedings.**

**16 2. At the respective hearings to consider the plan of consolidation, each
17 governing body shall receive verified petitions of objection from customers of the public
18 water supply district and hear and pass upon all objections to the plan of consolidation,
19 if any, and may consider amendments to the plan of consolidation, or by resolution, the
20 governing bodies may order that the plan of consolidation be implemented.**

**21 3. If both governing bodies order the plan of consolidation be implemented, the
22 districts shall jointly petition the circuit court of the county containing the majority of
23 the consolidated service territory of the public water supply district to amend the decree
24 of incorporation of the reorganized common sewer district to allow it to consolidate the
25 public water supply district into the reorganized common sewer district. The petition
26 shall include the plan of consolidation, the transcripts of the hearings conducted by the
27 two districts, and all verified petitions of objection. All proceedings before the circuit
28 court shall be conducted in the same manner and have the same effect as in an action for
29 the amendment of the decree of incorporation of the reorganized common sewer district**

30 pursuant to subsection 12 of section 204.602, and no vote of the customers of the
31 reorganized common sewer district or the public water supply district shall be required;
32 provided, however, a vote of the customers of the public water supply district shall be
33 required if the reorganized common sewer district and the public water supply district
34 receive and the court finds that verified petitions of objection were received from more
35 than twenty percent of the customers of the public water supply district. Should the
36 court find that verified petitions of objection were received from more than twenty
37 percent of the customers of record receiving service from the public water supply
38 district, the decree of incorporation shall not become final and conclusive until it is
39 submitted to a vote of the customers of the public water supply district and until it is
40 assented to by a majority of the customers of the public water supply district voting on
41 the proposition.

204.605. Any such reorganized common sewer district that is authorized to
2 engage in the construction, maintenance, and operation of water supply and distribution
3 facilities is hereby authorized to acquire, construct, improve or extend, maintain, and
4 operate a combined waterworks and sewerage system. Any such combined waterworks
5 and sewerage system may consist of an existing sewerage system, an existing
6 waterworks, a sewerage system to be acquired or to be constructed, or a waterworks
7 to be acquired or constructed, or any combination thereof, and may include any
8 improvements or extensions to be acquired or constructed either to an existing sewerage
9 system or to an existing waterworks or to both. Any such reorganized common sewer
10 district desiring to operate and maintain a combined waterworks and sewerage system
11 shall adopt a resolution declaring that its waterworks, whether then existing or to be
12 acquired or constructed, and its sewerage system then existing or to be acquired or
13 constructed shall thenceforth be operated and maintained as a combined waterworks
14 and sewerage system and may provide that such combined system shall include all
15 future improvements or extensions, whether to the waterworks or to the sewerage
16 system, or to both. All applicable provisions of this chapter shall apply to the
17 construction, operation, and maintenance of combined waterworks and sewerage
18 system facilities, including the issuance of bonds payable from the revenues of the
19 combined waterworks and sewerage system, in the same manner as they apply to like
20 functions relating to sewer treatment facilities.

238.212. 1. If the petition was filed by registered voters or by a governing body, the
2 circuit clerk in whose office the petition was filed shall give notice to the public by causing
3 one or more newspapers of general circulation serving the counties or portions thereof
4 contained in the proposed district to publish once a week for four consecutive weeks a notice
5 substantially in the following form:

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NOTICE OF PETITION

TO SUBMIT TO A POPULAR VOTE THE CREATION AND FUNDING
OF A TRANSPORTATION DEVELOPMENT DISTRICT

Notice is hereby given to all persons residing or owning property in (here specifically describe the proposed district boundaries), within the state of Missouri, that a petition has been filed asking that upon voter approval, a transportation development district by the name of " _____ Transportation Development District" be formed for the purpose of developing the following transportation project: (here summarize the proposed transportation project or projects). The petition also requests voter approval of the following method(s) of funding the district, which (may) (shall not) increase the total taxes imposed within the proposed district: (describe the proposed funding methods). A copy of this petition is on file and available at the office of the clerk of the circuit court of _____ County, located at _____, Missouri. You are notified to join in or file your own petition supporting or answer opposing the creation of the transportation development district and requesting a declaratory judgment, as required by law, no later than the _____ day of _____, 20____. You may show cause, if any there be, why such petition is defective or proposed transportation development district or its funding method, as set forth in the petition, is illegal or unconstitutional and should not be submitted for voter approval at a general, primary or special election as directed by this court.

Clerk of the Circuit Court of _____ County

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2. The circuit court may also order a public hearing on the question of the creation and funding of the proposed district, if it deems such appropriate, under such terms and conditions as it deems appropriate. The circuit court shall order at least one public hearing on the creation and funding of the proposed district, if the petition for creating such district was filed by the owners of record of all real property within the proposed district. If a public hearing is ordered, notice of the time, date and place of the hearing shall also be given in the notice specified in subsection 1 of this section.

3. The notice required by this section shall also be sent to the Missouri department of revenue, which shall publish and maintain such notice on its website.

238.222. 1. The board shall possess and exercise all of the district's legislative and
2 executive powers.

3 2. Within thirty days after the election of the initial directors or the selection of the
4 initial directors pursuant to subsection 3 of section 238.220, the board shall meet. The time
5 and place of the first meeting of the board shall be designated by the court that heard the
6 petition upon the court's own initiative or upon the petition of any interested person. At its
7 first meeting and after each election of new board members or the selection of the initial
8 directors pursuant to subsection 3 of section 238.220, the board shall elect a chairman from its
9 members.

10 3. The board shall appoint an executive director, district secretary, treasurer and such
11 other officers or employees as it deems necessary.

12 4. At the first meeting, the board, by resolution, shall define the first and subsequent
13 fiscal years of the district, shall adopt a corporate seal, and shall notify the state auditor as
14 required in subsection 7 of this section.

15 5. A simple majority of the board shall constitute a quorum. If a quorum exists, a
16 majority of those voting shall have the authority to act in the name of the board, and approve
17 any board resolution.

18 6. Each director shall devote such time to the duties of the office as the faithful
19 discharge thereof may require and may be reimbursed for his actual expenditures in the
20 performance of his duties on behalf of the district.

21 7. Any district which has been previously organized and for which formation was
22 approved prior to August 28, 2016, shall notify the state auditor's office in writing of the date
23 it was organized and provide contact information for the current board of directors by
24 December 31, 2016. Any district organized and formed after August 28, 2016, shall be
25 required to notify the state auditor's office in writing of the date it was organized and provide
26 contact information for the current board of directors within thirty days of the date of the first
27 meeting of the board under the provisions of subsection 2 of this section.

28 **8. (1) The governing body of the local transportation authority establishing a**
29 **district shall, as soon as is practicable, submit the following information to the state**
30 **auditor and the department of revenue:**

31 **(a) A description of the boundaries of such district as well as the average**
32 **assessment made against real property located in such district, the rate of property tax**
33 **levied in such district, or rate of sales tax levied in such district, as applicable;**

34 **(b) Any amendments made to the boundaries of a district or the tax rates levied**
35 **in such district; and**

36 **(c) The date on which the district is terminated.**

37 **(2) The governing body of the local transportation authority establishing a**
38 **district on or after August 28, 2022, shall not collect any property or sales taxes until**
39 **such governing body has submitted the information required by paragraph (a) of**
40 **subdivision (1) of this subsection.**

Section 1. Notwithstanding any provision of law to the contrary, any ballot
2 **measure seeking approval to add, change, or modify a tax on real property shall express**
3 **the effect of the proposed change within the ballot language in terms of the change in**
4 **real dollars owed per one hundred thousand dollars of a property's market valuation.**

Section 2. 1. As used in this section, the following terms mean:

2 **(1) "Eligible individual", any individual or married couple who:**

3 **(a) Cannot be claimed as a dependent on any other taxpayer's federal income tax**
4 **return for a tax year beginning in the calendar year in which the individual's tax year**
5 **begins;**

6 **(b) Is not an estate or trust; and**

7 **(c) Files a Missouri individual or combined individual income tax return for the**
8 **tax year ending in calendar year 2021, and has filed such return with the state by**
9 **October 17, 2022 or such return was postmarked by October 17, 2022;**

10 **(2) "Qualified taxpayer", any individual subject to the state income tax imposed**
11 **under chapter 143, excluding the withholding tax imposed under sections 143.191 to**
12 **143.265, who is an eligible individual as defined under this section;**

13 **(3) "Tax credit", a credit against the tax otherwise due under chapter 143,**
14 **excluding withholding tax imposed under sections 143.191 to 143.265.**

15 **2. For the 2021 tax year, a qualified taxpayer shall be allowed to claim a one-time**
16 **nonrefundable tax credit against the taxpayer's state tax liability in an amount equal to**
17 **the lesser of each qualified taxpayer's Missouri income tax due for the tax year ending in**
18 **calendar year 2021, or \$500 in the case of individuals filing an individual Missouri**
19 **income tax return, or \$1,000 in the case of married couples filing a combined Missouri**
20 **individual income tax return, whichever is less.**

21 **3. The department of revenue shall automatically adjust each qualified**
22 **taxpayer's tax return for the 2021 tax year and shall issue refunds, if necessary, to**
23 **qualified taxpayers via check or electronic fund transfer.**

24 **4. No tax credit claimed under this section shall be carried forward to any**
25 **subsequent tax year.**

26 **5. No tax credit claimed under this section shall be assigned, transferred, sold, or**
27 **otherwise conveyed.**

28 **6. Notwithstanding any provision of this section to the contrary, the director of**
29 **revenue shall not authorize more than one billion dollars in tax credits under this**

30 **section. In the event the aggregate amount of tax credits claimed by qualified taxpayers**
31 **exceeds one billion dollars, the value of the tax credit shall be reduced by the smallest**
32 **uniform percentage such that the total of all tax credits issued under this section is equal**
33 **to one billion dollars.**

34 **7. The department of revenue shall promulgate all necessary rules and**
35 **regulations for the administration of this section. Any rule or portion of a rule, as that**
36 **term is defined in section 536.010, that is created under the authority delegated in this**
37 **section shall become effective only if it complies with and is subject to all of the**
38 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**
39 **536 are nonseverable, and if any of the powers vested with the general assembly**
40 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
41 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
42 **and any rule proposed or adopted after August 28, 2022, shall be invalid and void.**

2 ~~[92.105. It is the intent of sections 92.105 to 92.125 that starting in~~
3 ~~2011 voters in any city imposing an earnings tax will decide in local elections~~
4 ~~to continue the earnings tax. If the majority of local voters vote to continue the~~
5 ~~earnings tax, it will continue for five years and then will be voted on again. If~~
6 ~~a majority of voters in any city having an earnings tax vote against continuing~~
7 ~~the earnings tax, it will be phased out pursuant to section 92.125 in such city~~
8 ~~over a period of ten years. Further, sections 92.105 to 92.125 prohibit any~~
9 ~~Missouri city or town that does not, as of November 2, 2010, impose an~~
~~earnings tax, from imposing such a tax on residents and businesses.]~~

2 Section B. Because immediate action is necessary to protect taxpayers from inflated
3 values and rapidly increasing prices, section 137.115 of section A of this act is deemed
4 necessary for the immediate preservation of the public health, welfare, peace, and safety, and
5 is hereby declared to be an emergency act within the meaning of the constitution, and section
6 137.115 of section A of this act shall be in full force and effect upon its passage and approval.

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