

SECOND REGULAR SESSION

# HOUSE BILL NO. 1575

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES TREADWAY, BARRY, REID, FRASER, LIESE, GEORGE,  
O'TOOLE, FOLEY AND LEVIN (Co-sponsors).

Read 1<sup>st</sup> time January 22, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3551L.011

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### AN ACT

To repeal section 135.030, RSMo, and to enact in lieu thereof one new section relating to tax relief for the elderly.

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

Section A. Section 135.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 135.030, to read as follows:

135.030. 1. As used in this section:

(1) The term "maximum upper limit" shall, in the calendar year 1989, be the sum of thirteen thousand five hundred dollars. For each calendar year through December 31, 1992, the maximum upper limit shall be increased by five hundred dollars per year. For calendar years after December 31, 1992, and prior to calendar year 1998, the maximum upper limit shall be the sum used on December 31, 1992. For each calendar year after December 31, 1997, **and prior to calendar year 2003**, the maximum upper limit shall be the sum of twenty-five thousand dollars. **For each calendar year after December 31, 2002, the maximum upper limit shall be the sum of forty-five thousand dollars;**

(2) The term "minimum base" shall, in the calendar year 1989, be the sum of five thousand dollars. For each succeeding calendar year through December 31, 1992, the minimum base shall be increased, in one hundred-dollar increments, by the same percentage as the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor index, as defined and officially recorded by the United States Department of Labor, or its successor agency, or five percent, whichever is greater. The increase in the index shall be that as first published by the Department of Labor for the calendar year immediately preceding the year in which the minimum base is calculated. For calendar years after December 31, 1992, and prior to calendar year 1998, the minimum base shall be the

19 sum used on December 31, 1992. For each calendar year after December 31, 1997, the minimum  
20 base shall be the sum of thirteen thousand dollars.

21 2. When calculating the minimum base for purposes of this section, whenever the  
22 increase in the Consumer Price Index used in the calculation would result in a figure which is  
23 greater than one one-hundred-dollar increment but less than another one-hundred-dollar  
24 increment, the director of revenue shall always round that figure off to the next higher  
25 one-hundred-dollar increment when determining the table of credits under this section.

26 3. If the income on a return is equal to or less than the maximum upper limit for the  
27 calendar year for which the return is filed, the property tax credit shall be determined from a table  
28 of credits based upon the amount by which the total property tax described in section 135.025  
29 exceeds the percent of income in the following list:

30 If the income on the return is:

The percent is:

31 Not over the minimum base

0 percent with credit not  
to exceed actual property  
tax or rent equivalent  
paid up to \$750

32  
33  
34  
35 Over the minimum base but  
36 not over the maximum upper limit

1/16 percent accumulative  
per \$300 from 0 percent  
to 4 percent.

37

38

39 The director of revenue shall prescribe a table based upon the preceding sentences. The property  
40 tax shall be in increments of twenty-five dollars and the income in increments of three hundred  
41 dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the  
42 basis of the property tax and income at the midpoints of each increment. As used in this  
43 subsection, the term "accumulative" means an increase by continuous or repeated application of  
44 the percent to the income increment at each three hundred dollar level.

45 4. Notwithstanding the provision of subsection 4 of section 32.057, RSMo, the  
46 department of revenue or any duly authorized employee or agent shall determine whether any  
47 taxpayer filing a report or return with the department of revenue who has not applied for the  
48 credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any  
49 qualified claimant of his or her potential eligibility, where the department determines such  
50 potential eligibility exists.