

Nodaway County Senior Real Estate Property Tax Relief Program

Ordinance # 07112024

1. Tax Credit Authorized, Severability, Scope:

- a. Nodaway County hereby authorizes a tax credit to eligible taxpayers residing in Nodaway County as authorized by RSMo Sec. 137.1050, as amended, and as further set out herein.
- b. The provisions of this order and ordinance are severable. In the event that certain provisions of RSMo Sec. 137.1050 or this order and ordinance are declared unconstitutional or otherwise invalidated by a court of competent jurisdiction the provisions of this order and ordinance that can be severed and read in such a way as to give continued effect to the remaining provisions of RSMo Sec. 137.1050 or this order and ordinance shall be so read.
- c. Nothing in this order and ordinance shall be construed to authorize or require the issuance of any refunds of property taxes paid prior to the effective date of this order and ordinance.
- d. Nothing in this order and ordinance shall be read to relieve the taxpayer of the obligation to pay the tax liability for those ad valorem taxes specifically excepted or excluded from this tax credit program.

2. Definitions:

- a. Applicable taxing jurisdictions. All taxing entities or districts levying ad valorem taxes in Nodaway County except those set out below as exceptions and exclusions.
- b. Eligible credit amount. The difference between an eligible taxpayer's real property tax liability on such taxpayer's homestead for a given tax year, minus the real property tax liability on such homestead in the eligible taxpayer's initial credit year.
- c. Eligible taxpayer. A Nodaway County, Missouri resident who:
 - i. Is sixty-two (62) years of age or older; and
 - ii. Is an owner of record of a homestead or has a legal or equitable interest in such property as evidenced by a written instrument; and
 - iii. Is liable for the payment of real property taxes on such homestead.
- d. Homestead. Real property actually occupied by an eligible taxpayer as their primary residence. An eligible taxpayer shall not claim more than one primary residence.
- e. Initial credit year. The year that a taxpayer became an eligible taxpayer, which shall be no earlier than January 1, 2024.
- f. Tax credit. The amount equal to an eligible taxpayer's eligible credit amount.

3. Application:

- a. An annual application for the credit shall be required from each eligible taxpayer. An eligible taxpayer shall have attained the age of 62 before January 1st of their initial credit year.
- b. The Nodaway County Collector, in cooperation with the other impacted elected officials, shall create an application and application process that will allow eligible taxpayers to apply for a senior tax credit.
- c. Said application shall require a notarized signature affirming to the truth of the matters represented in said application.

- d. Any false statements made in said application are punishable under the provisions of RSMo Sec. 575.050.
- e. For the year 2024, the application deadline will be October 1, 2024. Thereafter, the application deadline will be **April 30th** of each year.

4. Exceptions and Exclusions:

- a. The credit authorized herein shall not extend to the following ad valorem levies:
 - i. State Blind Pension Fund;
 - ii. Levies related to any and all voter-approved bond indebtedness from any taxing entity;
- b. New construction:
 - i. If an eligible taxpayer makes new construction and improvements to such taxpayer's homestead the real property tax liability for the taxpayer's initial credit year shall be increased to reflect the real property tax liability attributable to such new construction and improvements.
- c. Annexation:
 - i. If an eligible taxpayer's homestead is annexed into a taxing jurisdiction to which such eligible taxpayer did not owe real property tax in the eligible taxpayer's initial credit year, then the real property tax liability for the taxpayer's initial credit year shall be increased to reflect the real property tax liability owed to the annexing taxing jurisdiction.

5. Tax credit to be noted on tax bill and to applicable taxing jurisdictions:

- a. The amount of the tax credit shall be noted on the statement of tax due sent to the eligible taxpayer by the county collector.
- b. The amount of credits authorized by this order and ordinance shall be reported to the applicable taxing jurisdictions by the county collector.

6. Implementation:

- a. The County and each of its elected officials are authorized and empowered to adopt such rules and procedures as are reasonably necessary to carry out and implement the provisions of this order and ordinance, and to develop and require such documents, applications, and instruments as may be necessary or desirable to permit the application for the tax credit authorized herein to be processed accurately, and to carry out, comply with, and perform the provisions set forth in this order and ordinance.

CERTIFIED COPY OF ORDER

STATE OF MISSOURI }
COUNTY OF NODAWAY }

In the County Commission of said county, on the _____ day of _____ 2024.

The following, among other proceedings, were had, viz:

Now on this day, the County Commission of the County of Nodaway does hereby adopt a Senior Real Estate Property Tax Relief Program as set out in the attached order and ordinance the tax of which is incorporated