Gerald W. Jones
Presiding Commissioner

Larry L. Bock
1st Dist. Commissioner

Joe F. Gambill
2nd Dist. Commissioner

COUNTY COMMISSION
Cape Girardeau County, Missouri

Rodney Miller
Clerk of Commission

Donna Burk
Administrative Assistant

Ordinance No. 04-02

An Ordinance to Opt-Out of the State Assessment Requirements

WHEREAS, the Missouri General Assembly passed and the Governor signed Senate Bill 960 that authorizes an opt-out provision for counties from legislation establishing a new way for counties to set tax rates which the General Assembly enacted in HB 1150 in 2002 in an attempt to correct problems in property tax assessments in Missouri, and more specifically St. Louis County, and

WHEREAS, HB 1150 does not provide for the reimbursement to local governments for lost revenues, and

WHEREAS, the new tax rate rollback provisions will significantly reduce local revenues used to provide necessary public services by the County, and

WHEREAS, these new requirements will add significant additional cost to the County, which already has limited financial resources, and

WHEREAS, the legislation authorizes counties to opt out of the legislation revising the way property tax is assessed in the state by requiring separate tax rates for each class of property by ordinance of the governing body,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF THE COUNTY OF CAPE GIRARDEAU AS FOLLOWS:

Section One. The County of Cape Girardeau hereby exercises its statutory right to opt out of the provisions of Section 137.073, RSMo, which establishes the way property tax is assessed in the state by requiring separate tax rates for each class of property.

Section Two. This ordinance shall be in full force and effect from and after the date of its passage and approval.

Cape Girardeau County Commission
1 Barton Square
Jackson, Missouri 63755
(573) 243-1052
FAX: 204-2493

Section Three. For the purposes of applying the opt-out provision of this bill, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate the separate rates for the three subclasses of real property and the aggregate class of personal property as required by Section 137.073, RSMo, provided that such political subdivision shall also provide a single blended rate, in accordance with the procedure for determining a blended rate for school districts in subdivision (1) of subsection 6 of Section 137.073, RSMo. Such blended rate shall be used for the portion of such political subdivision that is situated within any county that has opted out. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and Sections 137.073, 138.060, and 138.100, RSMo, as enacted by House Bill 1150 of the Ninety-First General Assembly, Second Regular Session, and Section 137.073 RSMo, as modified by this act, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

ADOPTED AND APPROVED THIS 27TH DAY OF SEPTEMBER, 2004.

Presiding Commissioner	X Aye	_____Nay
Associate Commissioner	X Aye	_____Nay
Associate Commissioner	X Aye	_____Nay

Presiding Commissioner,
Gerald W. Jones,

Associate Commissioner,
Larry L. Bock

Associate Commissioner,
Joe F. Gambill

ATTEST:

Clerk of the County Commission,
Rodney Miller

BE IT REMEMBERED that on final passage of this ordinance, the roll call vote for approval was the following persons voting "Aye" Gerald W. Jones, Larry L. Bock, Joe F. Gambill and the following voting "Nay" _____.