



STATE TAX COMMISSION OF MISSOURI ASSESSOR MANUAL

CHAPTER :

ADMINISTRATION

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1.0 INTRODUCTION

This manual is being developed by the State Tax Commission to aid the offices of assessors in performing their official duties. Nothing in this manual gives anyone any greater rights than he or she would have by law, nor are its contents to be considered legal definitions or statements. The manual is based upon statutes, rules, and guidelines in effect at the time this manual was published, but are subject to change. If changes occur, the information contained in this manual may not reflect current law or policy. The Commission intends periodically to update the information contained herein; however, assessors are advised to verify the accuracy of the information with the State Tax Commission staff.

Included below is a short history, an overview of the duties and organizational chart of the State Tax Commission.

1.1 HISTORY OF THE STATE TAX COMMISSION

The State Tax Commission of Missouri in its current form was created by the Missouri Constitution of 1945. Article X, Section 14 of that constitution requires the General Assembly to create a tax commission for the purpose of performing three functions:

1. Equalization of assessments as between counties
2. To hear appeals from local boards of equalization in individual assessment cases
3. To perform such other duties as may be prescribed by law

The State Tax Commission is composed of three members, chosen from the two major political parties, appointed by the Governor with the advice and consent of the Senate. The Commissioners hold staggered terms of 6 years.

1.2 FUNCTIONS OF THE STATE TAX COMMISSION

1. Supervision of Assessment Practices and Equalization

One of the primary tasks performed by the Commission is the supervision of assessing officers and assessment practices in the state. In implementing its supervisory role, the Commission is in constant contact with the assessors of the state, communicating administrative, legal, appraisal and equalization advice to assist assessors in the performance of their duties.

2. Assessment Appeals

One of the constitutional duties imposed upon the Commission is the hearing of assessment appeals in individual cases. Appeals generally are heard by a hearing officer of the Commission. A record of the proceedings is prepared and a decision and order including full findings of fact and conclusions of law is thereafter issued.

3. Original Assessment

Under Sections 137.022, 138.420, Chapters 151, 153 and 155, RSMo, the Commission performs its duty of original assessment of distributable property held by public utilities, railroads, airlines and related entities. The Commission must "assess, adjust and equalize" the distributable property of these companies.

4. Ratio Study

The State Tax Commission conducts ratio studies to determine the level of assessments and the quality of assessments in the counties of the state. The ratio study provides critical insight to the Commission to assist them in the equalization process. These studies also provide the analysis required to assist the assessor in the development of the biennial assessment maintenance plan addressing component parts of the assessment program. The Commission conducts both appraisals and a sales ratio study to measure the status of the assessment programs.

5. Inter-County Equalization

One of the constitutional duties of the Commission is the equalization of the aggregate assessed valuation as between counties of real and tangible personal property.

6. Miscellaneous Functions

The Commission has the responsibility to certify assessors who have completed a 32 hour course of

study concerning the assessment of ad valorem property taxes. Each assessor must complete a course of study approved by the Commission as a qualification for commencing or continuing in office.

The Commission has the general duty to study the tax laws and taxing systems of other states and make recommendations to the General Assembly on needed tax legislation.

The staff of the Commission is divided into five sections (See exhibit 1.1)

- 1 Administration**
- 2. Legal**
- 3. Ratio Study**
- 4. Technical Assistance**
- 5. Original Assessment**

(1) The Administration Section is under the direction of the Administrative Secretary, who is charged with the statutory duty to superintend the clerical business of the Commission, handle correspondence, supervise general office procedures, implement Commission policy, and perform such other duties as the Commission prescribes. An additional general duty is to certify assessors who have completed a 32 hour course of study concerning the assessment of ad valorem property taxes. Each assessor must complete a course of study approved by the Commission as a qualification for commencing or continuing in office.

(2) The Legal Section is under the direction of the Chief Counsel, who is charged with the responsibility to render legal advice to the Commission, handle litigation involving the State Tax Commission in the courts and coordinate legal matters with the Attorney General's Office. The Chief Counsel also has the duty of overseeing the attorneys who conduct hearings in assessment appeals before the Commission and assisting the Commission in the preparation of decisions and orders, including findings of fact and conclusions of law, in individual assessment appeals.

(3) The Ratio Study Section is charged with conducting ongoing ratio studies to verify assessment levels for equalization and uniformity. The section has a manager, as well as clerical and field personnel.

(4) The Original Assessment Section is charged with the Commission's annual duty to assess distributable property held by public utilities, railroads and other related entities.

(5) The Technical Assistance Section is composed of a manager and field staff whose primary duty is to assist counties in implementing their maintenance program and to provide additional assistance in any matters pertaining to assessment practices.