

FIRST REGULAR SESSION

HOUSE BILL NO. 910

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES KELLEY (47), PORTWOOD (Co-sponsors), CIERPIOT, BYRD, LUETKEMEYER, BERKSTRESSER, NAEGER, MERIDETH, BEARDEN, REINHART, TOWNLEY, RECTOR, HUNTER, PHILLIPS, LONG, PURGASON, ENZ, CROWELL AND BURCHAM.

Read 1st time March 1, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

2011L.021

AN ACT

To repeal section 135.095, RSMo 2000, relating to the pharmaceutical tax credit for senior citizens, and to enact in lieu thereof one new section relating to the same subject.

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

Section A. Section 135.095, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 135.095, to read as follows:

135.095. For all tax years beginning on or after January 1, 1999, but before January 1, 2005, a resident individual who has attained sixty-five years of age on or before the last day of the tax year shall be allowed, for the purpose of offsetting the cost of legend drugs, a [maximum] credit against the tax otherwise due pursuant to chapter 143, RSMo, not including sections 143.191 to 143.265, RSMo, of **up to** two hundred dollars. An individual shall be entitled to [the maximum] a credit [allowed by] **pursuant to** this section if the individual has a Missouri adjusted gross income [of], **and, effective for tax years beginning on or after January 1, 2001, any Social Security income regardless of whether such Social Security income is otherwise included in federal adjusted gross income, totaling** fifteen thousand dollars or less; provided that[, no individual who receives full reimbursement for the cost of legend drugs from Medicare or Medicaid, or who is a resident of a local, state or federally funded facility shall qualify for the credit allowed pursuant to this section] **the claimant of this credit submits documentation to the department of revenue sufficient to demonstrate the claimant personally paid for legend drugs prescribed for the claimant during the tax year for which the credit is claimed. The credit shall be limited to two hundred dollars or the amount**

EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

16 **personally paid, and documented to the department of revenue, for legend drugs**
17 **prescribed for the claimant during the tax year for which the credit is claimed, whichever**
18 **is less. If an individual's Missouri adjusted gross income, and, effective for tax years**
19 **beginning on or after January 1, 2001, any Social Security income regardless of whether**
20 **such Social Security income is otherwise included in federal adjusted gross income, is**
21 greater than fifteen thousand dollars, such individual shall be entitled to a credit equal to the
22 greater of zero or the maximum credit allowed by this section reduced by two dollars for every
23 hundred dollars such individual's income exceeds fifteen thousand dollars. The credit shall be
24 claimed as prescribed by the director of the department of revenue. Such credit shall be
25 considered an overpayment of tax and shall be refundable even if the amount of the credit
26 exceeds an individual's tax liability.