

SECOND EXTRAORDINARY SESSION

HOUSE BILL NO. 1

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CAMPBELL.

Read 1st time September 8, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

2339L.011

AN ACT

To repeal sections 143.225, 143.261, 143.431, 144.190, and section 306.016, RSMo, and to enact in lieu thereof five new sections relating to revenue for education, with an emergency clause.

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

Section A. Sections 143.225, 143.261, 143.431, 144.190, and 306.016, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections 143.225, 143.431,
3 143.434, 144.190, and 306.016, to read as follows:

143.225. 1. The director of revenue, by regulation, may require an employer to timely
2 remit the unpaid amount required to be deducted and withheld by section 143.191 at the end of
3 any quarter-monthly period, only if the employer was required to deduct and withhold six
4 thousand dollars or more in each of at least two months during the prior twelve months.

5 2. The director may increase the monthly requirement to more than six thousand dollars
6 or otherwise narrow the application of the quarter-monthly remittance system authorized by this
7 section. The director may not require the remittance of withheld taxes more often than monthly
8 unless authorized by this section.

9 3. A remittance shall be timely if mailed as provided in section 143.851 within three
10 banking days after the end of the quarter-monthly period or if received by the director or
11 deposited in a depository designated by the director within four banking days after the end of the
12 quarter-monthly period.

13 4. [The unpaid amount shall be after a reduction for the compensation provided by
14 section 143.261.] The unpaid amount at the end of a quarter-monthly period shall not include

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

15 unpaid amounts for any prior quarter-monthly period.

16 5. For purposes of this section, "quarter-monthly period" means:

17 (1) The first seven days of a calendar month;

18 (2) The eighth to fifteenth day of a calendar month;

19 (3) The sixteenth to twenty-second day of a calendar month; and

20 (4) The portion following the twenty-second day of a calendar month.

21 6. (1) In the case of an underpayment of any amount required to be paid pursuant to this
22 section, an employer shall be liable for a penalty in lieu of all other penalties, interest or
23 additions to tax imposed by this chapter for violating this section. The penalty shall be five
24 percent of the amount of the underpayment determined [under] **pursuant to** subdivision (2) of
25 this subsection.

26 (2) The amount of the underpayment shall be the excess of:

27 (a) Ninety percent of the unpaid amount at the end of a quarter-monthly period, over

28 (b) The amount, if any, of the timely remittance for the quarter-monthly period.

29 7. (1) The penalty with respect to any quarter-monthly period shall not be imposed if
30 the employer's timely remittance for the quarter-monthly period equals or exceeds one-fourth of
31 the average monthly withholding tax liability of the employer for the preceding calendar year.
32 The month of highest liability and the month of lowest liability shall be excluded in computing
33 the average. This subdivision shall apply only to an employer who had a withholding tax
34 liability for at least six months of the previous calendar year.

35 (2) The penalty shall not be imposed if the employer establishes that the failure to make
36 a timely remittance of at least ninety percent was due to reasonable cause, and not due to willful
37 neglect.

38 (3) The penalty shall not be imposed against any employer for the first two months the
39 employer is obligated to make quarter-monthly remittance of withholding taxes.

40 8. Tax amounts remitted [under] **pursuant to** this section shall be treated as payments
41 on the employer's monthly return required by subsection 2 of section 143.221. Tax amounts
42 remitted [under] **pursuant to** this section shall be deemed to have been paid on the last day
43 prescribed for filing the return. The preceding sentence shall apply in computing [compensation
44 under section 143.261,] interest, penalties and additions to tax and for purposes of all sections
45 of chapter 143, except this section.

46 9. The director of revenue may prescribe the use of an electronic funds payment system
47 for the payment of withholding taxes by any employer subject to the requirement of
48 quarter-monthly remittance as provided in this section.

143.431. 1. The Missouri taxable income of a corporation taxable [under] **pursuant to**
2 sections 143.011 to 143.996 shall be so much of its federal taxable income for the taxable year,

3 with the modifications specified in subsections 2 and 3 of this section, as is derived from sources
4 within Missouri as provided in section 143.451. The tax of a corporation shall be computed on
5 its Missouri taxable income at the rates provided in section 143.071.

6 2. There shall be added to or subtracted from federal taxable income, the modifications
7 to adjusted gross income provided in section 143.121 and the applicable modifications to
8 itemized deductions provided in section 143.141. There shall be subtracted the federal income
9 tax deduction provided in section 143.171. There shall be subtracted, to the extent included in
10 federal taxable income, corporate dividends from sources within Missouri.

11 3. [(1) If an affiliated group of corporations files a consolidated income tax return for
12 the taxable year for federal income tax purposes and fifty percent or more of its income is
13 derived from sources within this state as determined in accordance with section 143.451, then
14 it may elect to file a Missouri consolidated income tax return. The federal consolidated taxable
15 income of the electing affiliated group for the taxable year shall be its federal taxable income.

16 (2) So long as a federal consolidated income tax return is filed, an election made by an
17 affiliated group of corporations to file a Missouri consolidated income tax return may be
18 withdrawn or revoked only upon substantial change in the law or regulations adversely changing
19 tax liability under this chapter; or, with permission of the director of revenue upon the showing
20 of good cause for such action. After such a withdrawal or revocation with respect to an affiliated
21 group, it may not file a Missouri consolidated income tax return for five years thereafter, except
22 with the approval of the director of revenue, and subject to such terms and conditions as he may
23 prescribe.

24 (3) No corporation which is part of an affiliated group of corporations filing a Missouri
25 consolidated income tax return shall be required to file a separate Missouri corporate income tax
26 return for the taxable year.

27 (4) For each taxable year an affiliated group of corporations filing a federal consolidated
28 income tax return does not file a Missouri consolidated income tax return, for purposes of
29 computing the Missouri income tax, the federal taxable income of each member of the affiliated
30 group shall be determined as if a separate federal income tax return had been filed by each such
31 member.

32 (5)] The director of revenue may prescribe such regulations not inconsistent with the
33 provisions of this chapter as he may deem necessary in order that the tax liability of any affiliated
34 group of corporations making a Missouri consolidated income tax return, and of each corporation
35 in the group, before, during, and after the period of affiliation, may be returned, determined,
36 computed, assessed, collected, and adjusted, in such manner as clearly to reflect the Missouri
37 taxable income derived from sources within this state and in order to prevent avoidance of such
38 tax liability.

143.434. 1. As used in this chapter, the following terms mean:

(1) "Affiliated group", one or more chains of corporations that are connected through stock ownership with a common parent corporation that meet the following requirements:

(a) At least eighty percent of the stock of each of the corporations in the group, excluding the common parent corporation, is owned by one or more of the other corporations in the group; and

(b) The common parent directly owns at least eighty percent of the stock of at least one of the corporations in the group.

"Affiliated group" does not include corporations that are qualified to do business but are not otherwise doing business in this state. For purposes of this section "stock" does not include nonvoting stock which is limited and preferred as to dividends;

(2) "Common ownership", the direct or indirect control or ownership of more than fifty percent of the outstanding voting stock of:

(a) A parent-subsidiary controlled group as defined in Section 1563 of the United States Internal Revenue Code of 1986, as amended, except that the amount of fifty percent shall be substituted for all references of "80 percent" in such definition;

(b) A brother-sister controlled group as defined in Section 1563 of the United States Internal Revenue Code of 1986, as amended, except that the amount of fifty percent shall be substituted for all references of "80 percent" in such definition; or

(c) Three or more corporations each of which is a member of a group of corporations described in subdivision (1) of this subsection, and one of which is:

a. A common parent corporation included in a group of corporations described in paragraph (a) of subdivision (1) of this subsection; and

b. Included in a group of corporations described in paragraph (b) of subdivision (1) of this subsection.

Ownership of outstanding voting stock shall be determined in accordance with Section 1563 of the United States Internal Revenue Code of 1986, as amended;

(3) "Corporate return" or "return", includes a combined report;

(4) "Doing business", any transaction in the course of its business by a domestic corporation, or by a foreign corporation qualified to do or doing intrastate business in this state. Doing business includes:

(a) The right to do business through incorporation or qualification;

(b) The owing, renting, or leasing of real or personal property within this state; and

37 (c) The participation in joint ventures, working and operating agreements, the
38 performance of which takes place in this state;

39 (5) "Foreign corporation", a corporation that is not incorporated or organized
40 pursuant to the laws of this state;

41 (6) "Foreign operating company", a corporation that:

42 (a) Is incorporated in the United States; and

43 (b) Eighty percent or more of whose business activity is conducted without the
44 United States.

45

46 "Foreign operating company" does not include a corporation that qualifies for the Puerto
47 Rico and Possession Tax Credit provided pursuant to Section 936 of the United States
48 Internal Revenue Code of 1986, as amended;

49 (7) "Unitary group", a group of corporations that:

50 (a) Are related through common ownership; and

51 (b) By a preponderance of the evidence as determined by a court of competent
52 jurisdiction or the director, are economically interdependent with one another as
53 demonstrated by the following factors:

54 a. Centralized management;

55 b. Functional integration; and

56 c. Economies of scale;

57 (8) "Water's edge combined report", a report combining the income and activities
58 of:

59 (a) All members of a unitary group that are:

60 a. Corporations organized or incorporated in the United States, including those
61 corporations qualifying for the Puerto Rico and Possession Tax Credit as provided in
62 Section 936 of the United States Internal Revenue Code of 1986, as amended; and

63 b. Corporations organized or incorporated without the United States that meet the
64 threshold level of business activity; and

65 (b) An affiliated group electing to file water's edge combined report pursuant to
66 subdivision (1) of subsection 2 of this section.

67 2. (1) If any corporation is doing business in Missouri and is a member of a unitary
68 group, the unitary group shall file water's edge combined report. A group of corporations
69 that are not otherwise a unitary group may elect to file a water's edge combined report if
70 each member of the group is:

71 (a) Doing business in Missouri;

72 (b) Part of the same affiliate group; and

73 (c) Qualified pursuant to Section 1501 of the United States Internal Revenue Code
74 of 1986, as amended, to file a federal consolidated return.

75 (2) Each corporation within the affiliated group that is doing business in Missouri
76 shall file a combined report. If an affiliated group elects to file a combined report, each
77 corporation within the affiliated group that is doing business in Missouri shall file a
78 combined report.

79 (3) A corporation that elects to file a water's edge combined report pursuant to this
80 section shall not thereafter elect to file a separate return without the consent of the
81 director.

82 3. If two or more corporations, whether or not organized or doing business in this
83 state, and whether or not affiliated, are owned or controlled directly or indirectly by the
84 same interests, the director shall be authorized to distribute, apportion, or allocate gross
85 income or deductions between or among such corporations, if it determines that such
86 distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes
87 or clearly to reflect the income of any such corporations.

88 4. The director shall, by rule, prescribe for adjustments to Missouri taxable income
89 when, solely by reason of the enactment of this section, a taxpayer would otherwise receive
90 or have received a double tax benefit or suffer or have suffered a double tax detriment.
91 However, the director may not make any adjustment pursuant to this section which will
92 result in an increase or decrease of tax liability that is less than twenty-five dollars.

93 5. A group filing a combined report shall calculate federal taxable income of the
94 combined group by:

- 95 (1) Computing federal taxable income on a separate return basis;
96 (2) Combining income or loss of the members included in the combined report; and
97 (3) Making appropriate eliminations and adjustments between members included
98 in the combined report.

99
100 For purposes of this subsection, if an entity does not calculate federal taxable income, then
101 the federal taxable income shall be calculated based on the applicable federal tax laws.

102 6. For purposes of the apportionment provisions within section 32.200, RSMo, and
103 sections 143.451 and 143.461, corporations filing a combined report shall not include
104 intercompany sales or other transactions between the corporations included in the
105 combined report when determining the sales factor. Intercompany rents between members
106 of a combined report may not be considered in the computation of the property factor.

107 7. The director of revenue may prescribe such regulations not inconsistent with the
108 provisions of this chapter as the director may deem necessary in order that the tax liability

109 of any affiliated group of corporations making a Missouri consolidated income tax return,
110 and of each corporation in the group, before, during, and after the period of affiliation,
111 may be returned, determined, computed, assessed, collected, and adjusted, in such manner
112 as clearly to reflect the Missouri taxable income derived from sources within the state and
113 in order to prevent avoidance of such tax liability.

114 8. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,
115 that is created under the authority delegated in this section shall become effective only if
116 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if
117 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
118 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,
119 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
120 held unconstitutional, then the grant of rulemaking authority and any rule proposed or
121 adopted after the effective date of this act, shall be invalid and void.

144.190. 1. If a tax has been incorrectly computed by reason of a clerical error or
2 mistake on the part of the director of revenue, such fact shall be set forth in the records of the
3 director of revenue, and the amount of the overpayment shall be credited on any taxes then due
4 from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.525, and
5 the balance shall be refunded to the person legally obligated to remit the tax, such person's
6 administrators or executors, as provided for in section 144.200.

7 2. If any tax, penalty or interest has been paid more than once, or has been erroneously
8 or illegally collected, or has been erroneously or illegally computed, such sum shall be credited
9 on any taxes then due from the person legally obligated to remit the tax pursuant to sections
10 144.010 to 144.525, and the balance, with interest as determined by [section 32.065] **sections**
11 **32.068 and 32.069**, RSMo, shall be refunded to the person legally obligated to remit the tax, but
12 no such credit or refund shall be allowed unless duplicate copies of a claim for refund are filed
13 within three years from date of overpayment.

14 3. Every claim for refund must be in writing and signed by the applicant, and must state
15 the specific grounds upon which the claim is founded. Any refund or any portion thereof which
16 is erroneously made, and any credit or any portion thereof which is erroneously allowed, may be
17 recovered in any action brought by the director of revenue against the person legally obligated
18 to remit the tax. In the event that a tax has been illegally imposed against a person legally
19 obligated to remit the tax, the director of revenue shall authorize the cancellation of the tax upon
20 the director's record.

21 4. Notwithstanding the provisions of this section, the director of revenue shall authorize
22 direct-pay agreements to purchasers which have annual purchases in excess of seven hundred
23 fifty thousand dollars pursuant to rules and regulations adopted by the director of revenue. For

24 the purposes of such direct-pay agreements, the taxes authorized pursuant to chapters 66, 67, 70,
25 92, 94, 162, 190, 238, 321, and 644, RSMo, shall be remitted based upon the location of the
26 place of business of the purchaser.

27 5. Special rules applicable to error corrections requested by customers of mobile
28 telecommunications service are as follows:

29 (1) For purposes of this subsection, the terms "customer", "home service provider",
30 "place of primary use", "electronic database", and "enhanced zip code" shall have the same
31 meanings as defined in the Mobile Telecommunications Sourcing Act incorporated by reference
32 in section 144.013;

33 (2) Notwithstanding the provisions of this section, if a customer of mobile
34 telecommunications services believes that the amount of tax, the assignment of place of primary
35 use or the taxing jurisdiction included on a billing is erroneous, the customer shall notify the
36 home service provider, in writing, within three years from the date of the billing statement. The
37 customer shall include in such written notification the street address for the customer's place of
38 primary use, the account name and number for which the customer seeks a correction of the tax
39 assignment, a description of the error asserted by the customer and any other information the
40 home service provider reasonably requires to process the request;

41 (3) Within sixty days of receiving the customer's notice, the home service provider shall
42 review its records and the electronic database or enhanced zip code to determine the customer's
43 correct taxing jurisdiction. If the home service provider determines that the review shows that
44 the amount of tax, assignment of place of primary use or taxing jurisdiction is in error, the home
45 service provider shall correct the error and, at its election, either refund or credit the amount of
46 tax erroneously collected to the customer for a period of up to three years from the last day of
47 the home service provider's sixty-day review period. If the home service provider determines
48 that the review shows that the amount of tax, the assignment of place of primary use or the taxing
49 jurisdiction is correct, the home service provider shall provide a written explanation of its
50 determination to the customer.

51 6. [For all refund claims submitted to the department of revenue on or after September
52 1, 2003, notwithstanding any provision of this section to the contrary, if a person legally
53 obligated to remit the tax levied pursuant to sections 144.010 to 144.525 has received a refund
54 of such taxes for a specific issue and submits a subsequent claim for refund of such taxes on the
55 same issue for a tax period beginning on or after the date the original refund check issued to such
56 person, no refund shall be allowed. This subsection shall not apply and a refund shall be allowed
57 if an additional refund claim is filed due to any of the following:

58 (1) Receipt of additional information or an exemption certificate from the purchaser of
59 the item at issue;

60 (2) A decision of a court of competent jurisdiction or the administrative hearing
61 commission; or

62 (3) Changes in regulations or policy by the department of revenue.

63 **7.] Except as provided in subsection 8 of this section, if any tax was paid more than**
64 **once, was incorrectly collected, or was incorrectly computed, such sum shall be credited**
65 **on any taxes then due from the person legally obligated to remit the tax pursuant to**
66 **sections 144.010 to 144.510, and the remainder refunded, with interest as determined**
67 **pursuant to chapter 32, RSMo, to the person legally obligated to remit the tax, provided**
68 **the duplicate copies of a claim for refund are filed within three years from date of**
69 **overpayment, and:**

70 **(1) Where the total claim for refund is over one thousand dollars for any five-year**
71 **period, the person legally obligated to remit the tax demonstrates to the satisfaction of the**
72 **director of revenue that all incorrectly collected or incorrectly computed amounts were or**
73 **will be refunded or credited to every purchaser that originally paid the tax; or**

74 **(2) The person legally obligated to remit the tax submits to the director duplicate**
75 **copies of a claim for refund and amended tax returns showing the correct amount of gross**
76 **receipts for each reporting period originally filed and proves to the director's satisfaction**
77 **that the tax originally reported and remitted to the director was paid by such person**
78 **claiming the refund or credit and was not collected from purchasers.**

79 **7.** Notwithstanding any provision of law to the contrary, the director of revenue shall
80 respond to a request for a binding letter ruling filed in accordance with section 536.021, RSMo,
81 within sixty days of receipt of such request. If the director of revenue fails to respond to such
82 letter ruling request within sixty days of receipt by the director, the director of revenue shall be
83 barred from pursuing collection of any assessment of sales or use tax with respect to the issue
84 which is the subject of the letter ruling request. For purposes of this subsection, the term "letter
85 ruling" means a written interpretation of law by the director to a specific set of facts provided by
86 a specific taxpayer or his or her agent.

87 **8. In lieu of subsection 6 of this section, if any tax was paid more than once, was**
88 **incorrectly collected, or was incorrectly computed, such sum shall be credited on any taxes then**
89 **due from the person legally obligated to remit the tax pursuant to sections 144.010 to 144.510,**
90 **[against any deficiency or tax due discovered through an audit of the person by the department**
91 **of revenue through adjustment during the same tax filing period for which the audit applied] or**
92 **refunded, with interest as determined by sections 32.068 and 32.069, RSMo, to the person**
93 **legally obligated to remit the tax, only if duplicate copies of a claim for refund and**
94 **amended tax returns are filed within three years from date of overpayment and the person**
95 **legally obligated to remit the tax submits a plan acceptable to the director to generally**

96 **refund the amount of overpayment to future customers of the person by mutually agreed**
97 **to distribution of a fixed value coupon to such customers.**

306.016. 1. By January 1, 1995, the owner of any vessel documented by the United States Coast Guard on August 28, 1994, and the new owner of any vessel purchased after August 28, 1994, who upon the sale or transfer of the vessel desires to document the vessel with the United States Coast Guard, shall apply for a vessel certificate of registration and pay a certification fee of seven dollars and fifty cents, an initial registration fee in an amount equal to the amount required for a certificate of number [under] **pursuant to** section 306.030 and all applicable state and local [or in lieu watercraft] taxes as provided by law in effect on the date the vessel was documented or submit proof that all applicable registration fees have been paid to the department of revenue and all applicable taxes or in lieu watercraft taxes have been paid in this or another state. Such application shall include the county in which such vessel will be normally maintained by the new owner. A certificate of registration and a set of registration decals in a form the director shall prescribe shall be issued for a documented vessel. A Missouri resident shall make application for a vessel certificate of registration within thirty days of acquiring or bringing the vessel into this state. A nonresident shall make application for a vessel certificate of registration within sixty days after acquiring a vessel in this state or bringing a vessel into this state if the vessel will be kept in this state for a period in excess of sixty consecutive days. A delinquency penalty fee of ten dollars shall be imposed for each thirty days of delinquency, not to exceed a total of thirty dollars. If the director of revenue learns that any person has failed to make application for a vessel certificate of registration in accordance with this section or has sold a vessel documented by the United States Coast Guard without obtaining a certificate of registration as provided in this section, the director shall cancel the registration of all vessels and outboard motors registered in the name of the person, either as sole owner or a co-owner, and shall notify the person that the cancellation will remain in force until the person pays the delinquency penalty fee together with all fees, charges, and payments which the person should have paid in connection with the vessel certificate of registration.

2. [A boat or vessel documented by the United States Coast Guard or other agency of the federal government and operated on the waters of this state shall not be liable for the payment of any state or local sales or use tax on the purchase, but shall be liable for the payment of an in-lieu watercraft tax, which is hereby imposed. The fee in lieu of tax imposed pursuant to this section shall not apply to United States Coast Guard registered vessels purchased for purposes of marine construction including, but not limited to, barges, dredges, marine cranes, and other marine equipment utilized for construction or dredging of waterways. The in-lieu watercraft tax shall be collected by the director of revenue and deposited in the state treasury to the credit of general revenue and shall be appropriated for use by the Missouri state water patrol. Watercraft

35 dealers in this state shall report to the director of revenue on forms furnished by the director the
 36 sale of each watercraft sold to a resident of this state. If the watercraft is registered and licensed
 37 pursuant to the provisions of this chapter and all applicable sales taxes have been paid, the
 38 director shall not collect the in-lieu tax imposed by this subsection. If the watercraft is registered
 39 with the United States Coast Guard or other agency of the federal government and not under the
 40 provisions of this chapter the director shall bill the purchaser of the watercraft for the in-lieu tax
 41 imposed by this subsection. Any person who fails to pay the in-lieu tax due under this section,
 42 within thirty days after receipt of the bill from the director of revenue, shall be liable to the same
 43 penalties imposed by law for failure to pay sales and use taxes due the state. The in-lieu tax shall
 44 be determined as follows:

45 PURCHASE PRICE OF WATERCRAFT	TAX DUE
46 Less than \$15,000	\$ 500.00
47 \$15,001 to \$30,000	650.00
48 \$30,001 to \$50,000	1,000.00
49 \$50,001 to \$100,000	1,400.00
50 \$100,001 to \$150,000	2,000.00
51 \$150,001 to \$200,000	3,000.00
52 \$200,001 to \$250,000	4,000.00
53 \$250,001 to \$300,000	5,000.00
54 \$300,001 to \$350,000	5,500.00
55 \$350,001 to \$400,000	6,000.00
56 \$400,001 to \$450,000	6,500.00
57 \$450,001 to \$500,000	7,500.00
58 \$500,001 to \$550,000	8,500.00
59 \$550,001 to \$650,000	9,500.00
60 \$650,001 to \$750,000	10,500.00
61 \$750,001 and above	add an additional
62	1,500.00 for each
63	\$100,000 increment

64 3.] The registration decals for any vessel documented by the United States Coast Guard
 65 shall be in force and effect for a period of three years so long as the vessel is owned or held by
 66 the original holder of the certificate of registration and shall be renewed upon application and
 67 payment of a registration renewal fee equal to the amount required for a certificate of number
 68 [under] pursuant to section 306.030. The owner shall attach the registration decals to both sides
 69 of the forward half of the bow of the documented vessel in a place that is fully visible.

70 [4.] 3. The department of revenue may issue a temporary vessel certificate of registration

71 authorizing the operation of a vessel to be documented by the United States Coast Guard for not
72 more than sixty days. The temporary registration shall be made available by the department of
73 revenue and may be purchased from the department of revenue or from a dealer upon proof of
74 purchase of a vessel. The department shall make temporary certificates of registration available
75 to registered dealers in this state in sets of ten. The fee for the temporary certificates of
76 registration shall be five dollars each. No dealer shall charge more than five dollars for each
77 temporary certificate of registration issued. The temporary registration shall be valid for a period
78 of sixty days from the date of issuance by the department of revenue to the purchaser of the
79 vessel or from the date of sale of the vessel by a dealer from which the purchaser obtains a
80 certificate of registration. The temporary certificate of registration shall be issued on a form
81 prescribed by the department of revenue and issued only for the purchaser's use in the operation
82 of the vessel purchased to enable the purchaser to legally operate the vessel while a certificate
83 of registration is being obtained, and shall be displayed on no other vessel. Temporary
84 certificates of registration issued [under] **pursuant to** this section shall not be transferable or
85 renewable and shall not be valid upon issuance of a proper certificate of registration. The dealer
86 or authorized agent shall insert the date of issuance and expiration date, year, make and the
87 manufacturer's identification number of the vessel on the temporary registration when issued to
88 the purchaser. The dealer shall complete the information on the temporary registration in full.
89 Every dealer that issues a temporary certificate of registration shall keep, for inspection by
90 authorized officers, a correct record of each temporary certificate of registration issued by the
91 dealer by recording the registration number, purchaser's name and address, year, make and
92 manufacturer's identification number of the vessel on which the temporary certificate of
93 registration is to be used and the date of issuance.

94 [5.] 4. Upon the sale or transfer of any vessel documented by the United States Coast
95 Guard for which a certificate of registration has been issued, the registration shall be terminated.
96 If the new owner elects to have the vessel documented by the United States Coast Guard, the new
97 owner shall submit, in addition to the properly assigned certificate of registration, proof of
98 release from the documentation provided by the United States Coast Guard and shall comply
99 with the provisions of this section. If the new owner elects not to document the vessel with the
100 United States Coast Guard, the owner shall comply with the applicable provisions of this chapter.

101 [6.] 5. The certificate of registration shall be available at all times for inspection on the
102 vessel for which it is issued, whenever the vessel is in operation.

2 [143.261. For every remittance to the director of revenue made on or before
3 the date the remittance becomes due, the employer, other than the United States and
4 its agencies, the state of Missouri and political subdivisions thereof, may deduct and
5 retain the following percentages of the total amount of tax withheld and paid in each
calendar year:

- 6 (1) Two percent of five thousand dollars or less;
7 (2) One percent of amount collected in excess of five thousand dollars and
8 up to and including ten thousand dollars;
9 (3) One-half percent of amount collected in excess of ten thousand dollars.]

2 Section B. Because of the immediate need to enhance state revenues, section A of this
3 act is deemed necessary for the immediate preservation of the public health, welfare, peace and
4 safety, and is hereby declared to be an emergency act within the meaning of the constitution, and
5 section A of this act shall be in full force and effect upon the first day of the first month
6 following its passage and approval.