

FIRST REGULAR SESSION

HOUSE BILL NO. 1133

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DUSENBERG (Sponsor) AND KRAUS (Co-sponsor).

Read 1st time March 15, 2007 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

2663L.01I

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to a tax credit for disabled veterans.

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

Section A. Chapter 135, RSMo, is amended by adding thereto one new section, to be
2 known as section 135.094, to read as follows:

135.094. 1. As used in this section, the following terms mean:

2 **(1) "Disabled veteran", any veteran who is one hundred percent disabled and who**
3 **presents proof of disability in the form of a statement from the United States Veterans'**
4 **Administration verifying that the veteran is permanently disabled;**

5 **(2) "Tax credit", a credit against the tax otherwise due under chapter 143, RSMo,**
6 **excluding withholding tax imposed by sections 143.191 to 143.265, RSMo;**

7 **(3) "Taxpayer", any disabled veteran subject to the tax imposed in chapter 143,**
8 **RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo.**

9 **2. For all taxable years beginning on or after January 1, 2007, a taxpayer shall be**
10 **allowed a tax credit for real property taxes paid on the taxpayer's primary residence. The**
11 **tax credit amount shall be equal to fifty percent of the amount of real property tax paid on**
12 **such primary residence. If the amount of the tax credit issued exceeds the amount of the**
13 **taxpayer's state tax liability for the tax year for which the credit is claimed, the difference**
14 **shall be refundable. No tax credit granted under this section shall be transferred, sold, or**
15 **assigned.**

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

16 **3. The taxpayer shall annually file proof of the taxpayer's disability with the**
17 **assessor of the county in which the taxpayer's primary residence is located.**

18 **4. The department of revenue may promulgate rules to implement the provisions**
19 **of this section. Any rule or portion of a rule, as that term is defined in section 536.010,**
20 **RSMo, that is created under the authority delegated in this section shall become effective**
21 **only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and,**
22 **if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are**
23 **nonseverable and if any of the powers vested with the general assembly pursuant to**
24 **chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule**
25 **are subsequently held unconstitutional, then the grant of rulemaking authority and any**
26 **rule proposed or adopted after August 28, 2007, shall be invalid and void.**

27 **5. Under section 23.253, RSMo, of the Missouri Sunset Act:**

28 **(1) The provisions of the new program authorized under this section shall**
29 **automatically sunset on December thirty-first six years after the effective date of this**
30 **section unless reauthorized by an act of the general assembly; and**

31 **(2) If such program is reauthorized, the program authorized under this section**
32 **shall automatically sunset on December thirty-first twelve years after the effective date of**
33 **the reauthorization of this section; and**

34 **(3) This section shall terminate on September first of the calendar year immediately**
35 **following the calendar year in which the program authorized under this section is sunset.**

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