

SECOND REGULAR SESSION

HOUSE BILL NO. 1917

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SANDER (Sponsor), GRISAMORE,
FISHER AND PAGE (Co-sponsors).

Read 1st time January 30, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

4377L.01I

AN ACT

To amend chapter 209, RSMo, by adding thereto one new section relating to real-time captioning for television programming.

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

Section A. Chapter 209, RSMo, is amended by adding thereto one new section, to be
2 known as section 209.247, to read as follows:

209.247. 1. To ensure effective communication of the content of all local news,
2 weather, and sports broadcasts to deaf and hard-of-hearing persons in this state, beginning
3 January 1, 2009, all television stations located in this state with gross revenues in excess of
4 three million dollars per year shall provide real-time captioning of all local news, weather,
5 and sports programming. Because of its inability to provide maximum information to
6 persons with hearing loss, the use of electronic newsroom technology shall not satisfy the
7 requirements of this section.

8 2. To avoid undue burden, all television stations required to provide real-time
9 captioning under this section may limit its expenditures for such captioning to two percent
10 of its annual gross revenues.

11 3. (1) As used in this section, "tax credit" means a credit against the tax otherwise
12 due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to
13 143.265, RSMo, or otherwise due under chapter 147, 148, or 153, RSMo;

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.

14 (2) For all taxable years beginning on or after January 1, 2009, a taxpayer shall be
15 allowed a tax credit for providing real-time captioning of all local news, weather, and
16 sports broadcasts. The tax credit amount shall not exceed five thousand dollars per
17 taxpayer claiming the credit. The amount of the tax credit issued shall not exceed the
18 amount of the taxpayer's state tax liability for the tax year for which the credit is claimed.
19 No amount of credit that the taxpayer is prohibited by this section from claiming in a tax
20 year shall be refundable, nor shall any tax credit granted under this section be transferred,
21 sold, or assigned.

22 4. The department of revenue shall promulgate rules to implement the provisions
23 of this section. Any rule or portion of a rule, as that term is defined in section 536.010,
24 RSMo, that is created under the authority delegated in this section shall become effective
25 only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and,
26 if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are
27 nonseverable and if any of the powers vested with the general assembly pursuant to
28 chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule
29 are subsequently held unconstitutional, then the grant of rulemaking authority and any
30 rule proposed or adopted after August 28, 2008, shall be invalid and void.

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

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

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

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

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