

SECOND REGULAR SESSION

# HOUSE BILL NO. 2293

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES FAITH (Sponsor), RUESTMAN, MOORE, DETHROW, LAMPE, NANCE, HARRIS (110), WHORTON, WILSON (119), PAGE, DUSENBERG, STEVENSON AND MEINERS (Co-sponsors).

Read 1st time February 28, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 143, RSMo, by adding thereto one new section relating to an income tax check-off for contributions to the Breast Cancer Awareness Trust Fund.

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

Section A. Chapter 143, RSMo, is amended by adding thereto one new section, to be known as section 143.1009, to read as follows:

**143.1009. 1. In each taxable year beginning on or after January 1, 2008, each individual or corporation entitled to a tax refund in an amount sufficient to make a designation under this section may designate that one dollar or any amount in excess of one dollar on a single return, and two dollars or any amount in excess of two dollars on a combined return, of the refund due be credited to the "Breast Cancer Awareness Trust Fund", hereinafter referred to as the "trust fund". If any individual or corporation that is not entitled to a tax refund in an amount sufficient to make a designation under this section wishes to make a contribution to the trust fund, such individual or corporation may, by separate check, draft, or other negotiable instrument, send in with the payment of taxes, or may send in separately, that amount, clearly designated for the breast cancer awareness trust fund, the individual or corporation wishes to contribute. The department of revenue shall deposit such amount to the trust fund as provided in this section. All**

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.

13 moneys credited to the trust fund shall be considered nonstate funds under the provisions  
14 of article IV, section 15 of the Missouri Constitution.

15       2. The director of revenue shall deposit at least monthly all contributions  
16 designated by individuals under this section to the state treasurer for deposit to the trust  
17 fund.

18       3. The director of revenue shall deposit at least monthly all contributions  
19 designated by the corporations under this section, less an amount sufficient to cover the  
20 costs of collection and handling by the department of revenue, to the state treasury for  
21 deposit to the trust fund.

22       4. A contribution designated under this section shall only be deposited in the trust  
23 fund after all other claims against the refund from which such contribution is to be made  
24 have been satisfied.

25       5. All moneys transferred to the trust fund shall be distributed by the director of  
26 revenue at times the director deems appropriate to the Friends of the Missouri Women's  
27 Council. Such funds shall be used solely for the purpose of providing breast cancer  
28 services. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys  
29 in the trust fund at the end of any biennium shall not be transferred to the credit of the  
30 general revenue fund.

31       6. There is hereby created in the state treasury the "Breast Cancer Awareness  
32 Trust Fund", which shall consist of money collected under this section. The state treasurer  
33 shall be custodian of the fund and shall approve disbursements from the fund in  
34 accordance with this section and sections 30.170 and 30.180, RSMo.

35       7. Under section 23.253, RSMo, of the Missouri sunset act:

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

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

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

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