

SECOND REGULAR SESSION

# HOUSE BILL NO. 2328

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WASSON.

Read 1st time March 3, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 144.054, RSMo, and to enact in lieu thereof one new section relating to sales tax exemptions.

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

Section A. Section 144.054, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 144.054, to read as follows:

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

(1) "Processing", any mode of treatment, act, or series of acts performed upon materials to transform or reduce them to a different state or thing, including treatment necessary to maintain or preserve such processing by the producer at the production facility;

(2) "Recovered materials", those materials which have been diverted or removed from the solid waste stream for sale, use, reuse, or recycling, whether or not they require subsequent separation and processing.

2. In addition to all other exemptions granted under this chapter, there is hereby specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to 144.761, and from the computation of the tax levied, assessed, or payable under sections 144.010 to 144.525 and 144.600 to 144.761, electrical energy and gas, whether natural, artificial, or propane, water, coal, and energy sources, chemicals, machinery, equipment, and materials used or consumed in the manufacturing, processing, compounding, mining, or producing of any product, or used or consumed in the processing of recovered materials, or used in research and development related to manufacturing, processing, compounding, mining, or producing any

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 product. The exemptions granted in this subsection shall not apply to local sales taxes as defined  
17 in section 32.085, RSMo, and the provisions of this subsection shall be in addition to any state  
18 and local sales tax exemption provided in section 144.030.

19       3. In addition to all other exemptions granted under this chapter, there is hereby  
20 specifically exempted from the provisions of sections 144.010 to 144.525 and 144.600 to  
21 144.761, and section 238.235, RSMo, and the local sales tax law as defined in section 32.085,  
22 RSMo, and from the computation of the tax levied, assessed, or payable under sections 144.010  
23 to 144.525 and 144.600 to 144.761, and section 238.235, RSMo, and the local sales tax law as  
24 defined in section 32.085, RSMo, all utilities, machinery, and equipment used or consumed  
25 directly in television or radio broadcasting and all sales and purchases of tangible personal  
26 property, utilities, services, or any other transaction that would otherwise be subject to the state  
27 or local sales or use tax when such sales are made to or purchases are made by a contractor for  
28 use in fulfillment of any obligation under a defense contract with the United States government,  
29 and all sales and leases of tangible personal property by any county, city, incorporated town, or  
30 village, provided such sale or lease is authorized under chapter 100, RSMo, and such transaction  
31 is certified for sales tax exemption by the department of economic development, and tangible  
32 personal property used for railroad infrastructure brought into this state for processing,  
33 fabrication, or other modification for use outside the state in the regular course of business.

34       **4. In addition to all other exemptions granted under this chapter, there is hereby**  
35 **specifically exempted from the provisions of, and from the computation of the tax levied,**  
36 **assessed, or payable under, sections 144.010 to 144.525 and 144.600 to 144.761, and section**  
37 **238.235, RSMo, and the local sales tax law as defined in section 32.085, RSMo, all electrical**  
38 **energy, all gas whether natural, artificial, or propane, all water, all telecommunications**  
39 **services, and all other utilities, machinery, and equipment used or consumed by a person**  
40 **operating a business in a mine that is not used for mining if such mine contains at least one**  
41 **million square feet of space that may be used for such business.**

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