

SECOND REGULAR SESSION

HOUSE BILL NO. 2363

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES TRACY (Sponsor), BROWN (149), FLANIGAN,
ALLEN AND HOSKINS (121) (Co-sponsors).

5371L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 144.615, RSMo, and to enact in lieu thereof one new section relating to exemptions from state use taxes.

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

Section A. Section 144.615, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 144.615, to read as follows:

144.615. There are specifically exempted from the taxes levied in sections 144.600 to 144.745:

(1) Property, the storage, use or consumption of which this state is prohibited from taxing pursuant to the constitution or laws of the United States or of this state;

(2) Property, the gross receipts from the sale of which are required to be included in the measure of the tax imposed pursuant to the Missouri sales tax law;

(3) Tangible personal property, the sale or other transfer of which, if made in this state, would be exempt from or not subject to the Missouri sales tax pursuant to the provisions of subsection 2 of section 144.030;

(4) Motor vehicles, trailers, boats, and outboard motors subject to the tax imposed by section 144.440;

(5) Tangible personal property which has been subjected to a tax by any other state in this respect to its sales or use; provided, if such tax is less than the tax imposed by sections 144.600 to 144.745, such property, if otherwise taxable, shall be subject to a tax equal to the difference between such tax and the tax imposed by sections 144.600 to 144.745;

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 (6) Tangible personal property held by processors, retailers, importers, manufacturers,
17 wholesalers, or jobbers solely for resale in the regular course of business;

18 (7) Personal and household effects and farm machinery used while an individual was a
19 bona fide resident of another state and who thereafter became a resident of this state, or tangible
20 personal property brought into the state by a nonresident for his own storage, use or consumption
21 while temporarily within the state;

22 **(8) The transfer of all tangible personal property held as inventory by any vendor**
23 **to any organization that is exempt from sales tax under this chapter.**

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