

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Bill No. 253, Page 6, Section 143.071, Line 85, by inserting after all of said section  
2 the following:

3 "143.139. 1. As used in this section, the following terms mean:

4 (1) "Deduction", an amount subtracted from the qualified taxpayer's Missouri adjusted gross  
5 income under section 143.121 to determine Missouri taxable income for the tax year in which such  
6 deduction is claimed;

7 (2) "Designated area", one of the following locations:

8 (a) A home rule city with more than nineteen thousand but fewer than twenty-one thousand  
9 five hundred inhabitants and located in any county with a charter form of government and with more  
10 than nine hundred fifty thousand inhabitants;

11 (b) A home rule city with more than eight thousand but fewer than nine thousand inhabitants  
12 and located in any county with a charter form of government and with more than nine hundred fifty  
13 thousand inhabitants;

14 (c) A city of the fourth classification with more than one thousand fifty but fewer than one  
15 thousand two hundred inhabitants and located in any county with a charter form of government and  
16 with more than nine hundred fifty thousand inhabitants;

17 (d) A city of the fourth classification with more than two hundred eighty-five but fewer than  
18 three hundred twenty inhabitants and located in any county with a charter form of government and  
19 with more than nine hundred fifty thousand inhabitants;

20 (e) A city of the fourth classification with more than eight hundred but fewer than nine  
21 hundred inhabitants and located in any county with a charter form of government and with more than  
22 nine hundred fifty thousand inhabitants;

23 (f) A city of the fourth classification with more than four thousand but fewer than four  
24 thousand five hundred inhabitants and located in any county with a charter form of government and  
25 with more than nine hundred fifty thousand inhabitants;

26 (g) A city of the fourth classification with more than twelve thousand but fewer than thirteen  
27 thousand five hundred inhabitants and located in any county with a charter form of government and  
28 with more than nine hundred fifty thousand inhabitants;

29 (h) A home rule city with more than ten thousand but fewer than eleven thousand nine  
30 hundred inhabitants and located in any county with a charter form of government and with more than  
31 nine hundred fifty thousand inhabitants;

32 (i) A home rule city with more than twenty-four thousand but fewer than twenty-seven  
33 thousand inhabitants; or

34 (j) A city of the third classification with more than five thousand but fewer than five  
35 thousand five hundred inhabitants and located in any county with a charter form of government and  
36 with more than nine hundred fifty thousand inhabitants;

37 (2) "Purchase", any conveyance to a qualified taxpayer of fee simple ownership interest in a

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1 qualified principal residence made by deed executed by any person having authority to convey the  
2 same, or by his agent or attorney, and acknowledged and recorded under chapter 442 after the  
3 effective date of this section but before January 1, 2016;

4 (3) “Purchase price”, the total price paid by a qualified taxpayer for the purchase of a  
5 qualified principal residence;

6 (4) “Qualified principal residence”, any single-family residence, whether detached or  
7 attached, that is owner occupied or will be owner occupied after purchase, for a minimum of five  
8 years, by the qualified taxpayer claiming the deduction allowed by this section as his or her primary  
9 residence located within a designated area. For the purposes of this section, a manufactured home,  
10 modular unit, recreational park trailer, or recreational vehicle as defined in section 700.010, shall not  
11 be considered a single-family residence. For the purposes of this section, the value of land or any  
12 pre-existing structures on such land shall not be included in the value of such residence. The  
13 qualified taxpayer shall submit an appraisal to the department that separately states the value of the  
14 land and any existing structures in order to claim the deduction;

15 (5) “Qualified taxpayer”, an individual who has obtained a degree from an accredited  
16 collegiate or graduate program within the last five years who purchases a fee simple ownership  
17 interest in a qualified principal residence during a taxable year and has not previously received a  
18 deduction issued pursuant to this section in any taxable year;

19 (6) “Recapture period”, the taxable year beginning with the first taxable year following the  
20 taxable year in which the qualified taxpayer occupied the qualified principal residence for which a  
21 deduction is allowed under this section, except that such recapture period shall be deemed to have  
22 expired immediately upon the date of the death of any person deemed a qualified taxpayer under this  
23 section.

24 2. In addition to all deductions listed in this chapter, for taxable years beginning on or after  
25 January 1, 2013, a qualified taxpayer shall be allowed a deduction for the purchase of a qualified  
26 principal residence in a designated area. The deduction amount shall be equal to ten percent of the  
27 purchase price of the qualified principal residence, up to a maximum of ten thousand dollars.

28 3. No qualified taxpayer shall claim a tax deduction more than once under this section.

29 4. If the amount of the deduction allowed under this section exceeds the total Missouri  
30 adjusted gross income for the qualified taxpayer in the same tax year in which the deduction is  
31 allowed without taking into account the deduction allowed by this section, the amount that exceeds  
32 the total Missouri adjusted gross income for the qualified taxpayer without taking into account the  
33 deduction allowed by this section may be carried forward to any subsequent tax year until the full  
34 deduction is claimed.

35 5. If a qualified taxpayer disposes of his or her qualified principal residence for which a  
36 deduction was allowed under this section, or such qualified principal residence ceases to be the  
37 principal residence of the qualified taxpayer (and if married the qualified taxpayer’s spouse) before  
38 the end of the recapture period, then any remaining unused deduction shall be cancelled, and the  
39 qualified taxpayer shall be subject to an addition to his or her Missouri adjusted gross income of any  
40 amount deducted under this section in any preceding tax year. The provisions of this subsection shall  
41 not apply in the case of a transfer of a qualified principal residence from an individual qualified  
42 taxpayer to a spouse (or to a former spouse if the transfer is incident to a divorce) or from an  
43 individual qualified taxpayer to a grantor-trust or a single-member limited liability company owned  
44 by the qualified taxpayer.

45 6. The department of revenue shall establish the procedure by which the deduction provided  
46 in this section may be claimed and may promulgate rules to implement the provisions of this section.  
47 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the  
48 authority delegated in this section shall become effective only if it complies with and is subject to all

1 of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are  
2 nonseverable, and if any of the powers vested with the general assembly pursuant to chapter 536 to  
3 review, to delay the effective date, or to disapprove and annul a rule are subsequently held  
4 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
5 August 28, 2013, shall be invalid and void.

6 7. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

7 (1) The provisions of the new program authorized under this section shall automatically  
8 sunset December 31, 2019, unless reauthorized by an act of the general assembly; and

9 (2) If such program is reauthorized, the program authorized under this section shall  
10 automatically sunset December thirty-first twelve after the effective date of the reauthorization of  
11 this section; and

12 (3) This section shall terminate on September first of the calendar year immediately  
13 following the calendar year in which the program authorized under this section is sunset."; and

14  
15 Further amend said bill by amending the title, enacting clause, and intersectional references  
16 accordingly.