

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NOS. 1646 & 1515**  
**97TH GENERAL ASSEMBLY**

5586H.02C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To amend chapter 135, RSMo, by adding thereto one new section relating to incentives for interstate business relocation.

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

Section A. Chapter 135, RSMo, is amended by adding thereto one new section, to be  
2 known as section 135.1670, to read as follows:

**135.1670. 1. As used in this section, the following terms mean:**

2 **(1) "Kansas border county", Douglas, Johnson, Miami, or Wyandotte County in**  
3 **Kansas;**

4 **(2) "Missouri border county", any county with a charter form of government and**  
5 **with more than six hundred thousand but fewer than seven hundred thousand inhabitants,**  
6 **any county of the first classification with more than eighty-three thousand but fewer than**  
7 **ninety-two thousand inhabitants and with a city of the fourth classification with more than**  
8 **four thousand five hundred but fewer than five thousand inhabitants as the county seat,**  
9 **any county of the first classification with more than two hundred thousand but fewer than**  
10 **two hundred sixty thousand inhabitants, or any county of the first classification with more**  
11 **than ninety-two thousand but fewer than one hundred one thousand inhabitants in**  
12 **Missouri.**

13 **2. If any job that qualifies for a tax credit under sections 100.700 to 100.850 or**  
14 **under sections 135.100 to 135.258, for funding under section 620.1023, or for a tax credit**  
15 **or retention of state withholding taxes under sections 620.2000 to 620.2020, relocates to a**  
16 **Missouri border county from a Kansas border county, no tax credits shall be issued,**  
17 **funding provided, or retention of withholding taxes authorized for such job under such**  
18 **sections.**

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.

19           **3. If the director of the Missouri department of economic development determines**  
20 **that the state of Kansas has enacted legislation or the governor of Kansas issued an**  
21 **executive order or similar action which prohibits the Kansas Department of Commerce or**  
22 **any other Kansas executive department from providing economic incentives for jobs that**  
23 **are relocated from a Missouri border county to a Kansas border county, then the director**  
24 **shall execute and deliver to the governor, the speaker of the house of representatives, and**  
25 **the president pro tempore of the senate a written certification of such determination. Upon**  
26 **the execution and delivery of such written certification and the parties receiving such**  
27 **certification providing a unanimous written affirmation, the provisions of subsection 2 of**  
28 **this section shall be effective unless otherwise provided in this section.**

29           **4. If the director of the Missouri department of economic development determines**  
30 **that the Kansas Department of Commerce or any other Kansas executive department is**  
31 **providing economic incentives for jobs that relocate from a Missouri border county to a**  
32 **Kansas border county, then the director shall execute and deliver to the governor, the**  
33 **speaker of the house of representatives, and the president pro tempore of the senate a**  
34 **written certification of such determination. Upon the execution and delivery of such**  
35 **written certification and the parties receiving such certification providing a unanimous**  
36 **written affirmation, the provisions of subsection 2 of this section shall not be effective until**  
37 **such time as the director determines that the Kansas Department of Commerce, or any**  
38 **other Kansas executive department is not providing economic incentives for jobs that**  
39 **relocate from a Missouri border county to a Kansas border county, and the director has**  
40 **executed and delivered to the governor, the speaker of the house of representative, and the**  
41 **president pro tem of the senate a written certification of such determination and the parties**  
42 **receiving such certification provide an unanimous written affirmation.**

43           **5. The director of the Missouri department of economic development shall notify**  
44 **the revisor of statutes of all changes in whether subsection 2 of this section is effective.**

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