

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NOS. 1646 & 1515

## 97TH GENERAL ASSEMBLY

5586H.02P

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 known as section 135.1670, to read as follows:

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

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

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

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

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.

17 funding provided, or retention of withholding taxes authorized for such job under such sections.

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

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

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

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