

HCS HB 98 -- CONTRIBUTIONS TO SCHOOL FOUNDATIONS

SPONSOR: Swan

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Elementary and Secondary Education by a vote of 7 to 0.

For all tax years beginning on or after January 1, 2018, a taxpayer must be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to 50% of the taxpayer's contribution to a qualified organization that provides funding for unmet health, hunger, and hygiene needs for children in school. The amount of the tax credit claimed must not exceed the amount of the taxpayer's state tax liability for the taxable year that the credit is claimed, and the taxpayer is not allowed to claim a tax credit in excess of \$50,000 per taxable year. Any tax credit that cannot be claimed in the taxable year that the contribution was made may be carried over to the next four succeeding taxable years until the full credit has been claimed. However, no tax credit claimed can be transferred, sold, or assigned. A taxpayer's minimum contribution or contributions to a qualified organization or organizations must be \$100, except for any excess credit that is being carried over.

The Director of the Department of Social Services must determine, at least annually, which organizations in the state may be classified as qualified organizations and may require the organization seeking the classification to provide any information that is reasonably necessary to make the determination.

The director must establish a procedure, as specified in the bill, by which the cumulative amount of tax credits are equally apportioned among all organizations classified as qualified organizations. If a qualified organization fails to use all, or some percentage to be determined by the director, of its apportioned tax credits during the predetermined period of time, the director may reapportion these unused tax credits to those qualified organizations that have used all, or some percentage to be determined by the director, of their apportioned tax credits during this predetermined period of time. The director must provide the information to the Director of the Department of Revenue. The director must be subject to the confidentiality and penalty provisions of Section 32.057, RSMo, relating to the disclosure of tax information.

These provisions must not limit or in any way impair the department's ability to issue tax credits authorized on or before the date the program expires or a taxpayer's ability to redeem the

tax credits.

The provisions of the bill will sunset on December 31, 2023.

This bill is similar to HB 1614 (2016).

PROPONENTS: Supporters say that this bill creates a pre-paid tax credit for the health, hunger, and hygiene needs for children. State revenue is not reduced even though a tax credit is created due to the fact that the payment is made from the qualified organization equal to the value of the tax credit.

Testifying for the bill were Representative Swan and Sara Lampe, Care to Learn.

OPPONENTS: There was no opposition voiced to the committee.