

HOUSE BILL NO. 2401

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE APPELBAUM.

5304H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 135, RSMo, by adding thereto one new section relating to tax credits.

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 135.790, to read as follows:

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

2 **(1) "Animal shelter", the same meaning given to such term under section 273.325;**

3 **(2) "Qualified amount", for any qualified pet adoption, the total amount of moneys**
4 **paid by a taxpayer to an animal shelter for such qualified pet adoption, up to one hundred**
5 **twenty-five dollars;**

6 **(3) "Qualified pet adoption", any adoption by a taxpayer of an animal from an**
7 **animal shelter;**

8 **(4) "Taxpayer", any individual subject to the state income tax imposed under**
9 **chapter 143, excluding withholding tax imposed under sections 143.191 to 143.265;**

10 **(5) "Tax credit", a credit against the tax otherwise due under chapter 143,**
11 **excluding withholding tax imposed under sections 143.191 to 143.265.**

12 **2. For all tax years beginning on or after January 1, 2021, a taxpayer shall be**
13 **allowed to claim tax credits against the taxpayer's state tax liability for qualified pet**
14 **adoptions made by the taxpayer during the tax year. The amount of any tax credit claimed**
15 **for a qualified pet adoption shall be equal to the qualified amount for such qualified pet**
16 **adoption.**

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 **3. A taxpayer shall not be allowed to claim more than two tax credits under this**
18 **section per tax year, regardless of whether the taxpayer makes more than two qualified pet**
19 **adoptions during the tax year.**

20 **4. The cumulative amount of tax credits allowed to all taxpayers under this section**
21 **shall not exceed five hundred thousand dollars.**

22 **5. No tax credit claimed under this section shall be assigned, transferred, sold, or**
23 **otherwise conveyed. No tax credit claimed under this section shall be carried forward to**
24 **any subsequent tax year.**

25 **6. The department of revenue shall promulgate all necessary rules and regulations**
26 **to administer the provisions of this section. Any rule or portion of a rule, as that term is**
27 **defined in section 536.010, that is created under the authority delegated in this section shall**
28 **become effective only if it complies with and is subject to all of the provisions of chapter**
29 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
30 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
31 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
32 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
33 **after August 28, 2020, shall be invalid and void.**

34 **7. Under section 23.253 of the Missouri sunset act:**

35 **(1) The provisions of this section shall automatically sunset six years after the**
36 **effective date of this section unless reauthorized by an act of the general assembly;**

37 **(2) If the provisions of this section are reauthorized, such provisions shall**
38 **automatically sunset twelve years after the effective date of their reauthorization; and**

39 **(3) This section shall terminate on September first of the calendar year immediately**
40 **following the calendar year in which the provisions of this section are sunset.**

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