

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 283, Page 3, Section
2 49.266, Line 22, by inserting after all of said section and line the following:

3
4 "135.450. 1. As used in this section, the following terms mean:

5 (1) "Eligible taxpayer", any taxpayer who is subject to the tax imposed under chapter 143,
6 excluding withholding tax imposed under sections 143.191 to 143.265, and who is a:

7 (a) Minority business enterprise;

8 (b) Service-disabled veteran business; or

9 (c) Women's business enterprise;

10 (2) "Medical marijuana dispensary facility", the same meaning as defined under Article
11 XIV, Section 1 of the Constitution of Missouri;

12 (3) "Minority business enterprise", a business that is:

13 (a) A sole proprietorship owned and controlled by a minority;

14 (b) A partnership or joint venture owned and controlled by minorities in which at least fifty-
15 one percent of the ownership interest is held by minorities and the management and daily business
16 operations of which are controlled by one or more owners who are minorities; or

17 (c) A corporation or other entity whose management and daily business operations are
18 controlled by one or more owners who are minorities and that is at least fifty-one percent owned by
19 one or more minorities or, if stock is issued, at least fifty-one percent of the stock is owned by one
20 or more minorities;

21 (4) "Service-disabled veteran business", a business that is:

22 (a) A sole proprietorship owned and controlled by a service-disabled veteran;

23 (b) A partnership or joint venture owned and controlled by service-disabled veterans in
24 which at least fifty-one percent of the ownership interest is held by service-disabled veterans and the
25 management and daily business operations of which are controlled by one or more owners who are
26 service-disabled veterans; or

27 (c) A corporation or other entity whose management and daily business operations are
28 controlled by one or more owners who are service-disabled veterans and that is at least fifty-one
29 percent owned by service-disabled veterans or, if stock is issued, at least fifty-one percent of the
30 stock is owned by one or more service-disabled veterans;

31 (5) "Tax credit", a credit against the tax otherwise due under chapter 143, excluding
32 withholding tax imposed by sections 143.191 to 143.265;

33 (6) "Women's business enterprise", a business that is:

34 (a) A sole proprietorship owned and controlled by a woman;

35 (b) A partnership or joint venture owned and controlled by women in which at least fifty-
36 one percent of the ownership interest is held by women and the management and daily business

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1 operations of which are controlled by one or more owners who are women; or

2 (c) A corporation or other entity whose management and daily business operations are
 3 controlled by one or more owners who are women and that is at least fifty-one percent owned by
 4 women or, if stock is issued, at least fifty-one percent of the stock is owned by one or more women.

5 2. For tax years beginning on or after January 1, 2022, an eligible taxpayer whose medical
 6 marijuana dispensary facility license application is approved by the department of health and senior
 7 services shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount
 8 equal to three thousand dollars in tax year 2022, with such amount annually adjusted for inflation in
 9 subsequent years. This tax credit shall not be allowed for a fee for a medical marijuana dispensary
 10 facility license renewal, a second or additional medical marijuana dispensary facility license to the
 11 same eligible taxpayer, or the annual medical marijuana dispensary facility license fee.

12 3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state
 13 tax liability for the tax year in which the credit is claimed. However, any tax credit that cannot be
 14 claimed in the tax year the license application was made may be carried over only to the next
 15 subsequent tax year.

16 4. Tax credits issued under the provisions of this section shall not be transferred, sold,
 17 assigned, or otherwise conveyed.

18 5. The department of revenue may promulgate rules to implement the provisions of this
 19 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
 20 under the authority delegated in this section shall become effective only if it complies with and is
 21 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
 22 chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to
 23 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
 24 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
 25 August 28, 2021, shall be invalid and void.

26 6. Under section 23.253 of the Missouri sunset act:

27 (1) The program authorized under this section shall automatically sunset on December
 28 thirty-first six years after the effective date of this section unless reauthorized by an act of the
 29 general assembly;

30 (2) If such program is reauthorized, the program authorized under this section shall
 31 automatically sunset on December thirty-first twelve years after the effective date of the
 32 reauthorization of this section;

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

35 (4) Nothing in this subsection shall prevent a taxpayer from claiming a tax credit that was
 36 properly issued before the program was sunset."; and

37
 38 Further amend said bill by amending the title, enacting clause, and intersectional references
 39 accordingly.